



# Corporate Report

Clerk's Files

Originator's  
Files OZ 08/003 W1

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**DATE:** April 22, 2008

**TO:** Chair and Members of Planning and Development Committee  
Meeting Date: May 12, 2008

**FROM:** Edward R. Sajecki  
Commissioner of Planning and Building

**SUBJECT:** **Rezoning Application**  
**To permit a 18 storey, 266 unit condominium apartment building and 7 row dwellings**  
**1439, 1451 Lakeshore Road East and 1013, 1017 Deta Road**  
**Northeast corner of Lakeshore Road East and Deta Road**  
**Owner: Queenscorp (Lakeshore) Inc.**  
**Applicant: John D. Rogers and Associates Inc.**  
**Bill 51**

**Public Meeting and Supplementary Report** **Ward 1**

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**RECOMMENDATION:** That the Report dated April 22, 2008, from the Commissioner of Planning and Building regarding the application under File OZ 08/003 W1, Queenscorp (Lakeshore) Inc., 1439, 1451 Lakeshore Road East and 1013, 1017 Deta Road, be adopted in accordance with the following:

1. That the application to change the Zoning from "R3" (Detached Dwelling - Typical Lot) and "C5" (Motor Vehicle Commercial) to "RA5-Exception" (Apartment Dwellings) to permit a 18 storey, 266 unit condominium apartment building and 7 row dwellings, be refused.
2. That City Council endorse the principles for an alternative development outlined in this report.

3. That in accordance with the provisions of Section 37 of the *Planning Act*, an agreement between Queenscorp (Lakeshore) Inc. and the City shall be executed in the event that applications for Official Plan Amendment and Rezoning are approved. This agreement shall be consistent with the recommendations contained within this report.
4. That City Council direct Legal Services, representatives from the appropriate City Departments and any necessary consultants to attend any Ontario Municipal Board proceedings which may take place in connection with this application, in support of the recommendations outlined in the report dated April 22, 2008.
5. That the fee appeal be resolved in accordance with the recommendations contained in this report.
6. That City Council provide the Planning and Building Department with the authority to instruct Legal Services staff on any modifications deemed necessary, where required, through the Ontario Municipal Board hearing process.

**REPORT SUMMARY:**

The Planning and Building Department has evaluated the current Rezoning application in the context of the relevant Provincial policies, including Bill 51, changes to Mississauga Plan resulting from OPA 25 and OPA 58, including the new Residential (Interim) Intensification Policies, and Zoning By-law 0225-2007, as well as the comments received from various City Departments, agencies and the public, and the applicant's planning rationale for the proposed development.

The report concludes that the revised development proposal does not represent good planning and should be refused and that Legal Services and appropriate City Departments should be directed to attend any upcoming Ontario Municipal Board proceedings in support of the recommendations outlined in this report.

**BACKGROUND:**

The subject application proposes to rezone lands that were previously the subject of applications for Official Plan Amendment and Rezoning under file OZ 06/003 W1, proposing a similar

development which were recommended for refusal by Planning and Development Committee at its meeting of January 14, 2008. The Committee's recommendation was ratified by Council at its meeting of January 30, 2008. Arising from an Ontario Municipal Board (OMB) pre-hearing conference held on February 14, 2008, it was determined that Queenscorp (Lakeshore) Inc. would proceed with a new rezoning application, as they had failed to appeal the new City-wide By-law 0225-2007 as it applies to their lands within the prescribed time frames. It is anticipated that the current Rezoning application will be consolidated at the upcoming OMB hearing with the Official Plan Amendment component which is already under appeal.

The development proposal, in addition to being modified to address By-law 0225-2007 requirements, which are outlined in the Zoning Section of this Report, has been modified to reduce the height of the tower component of the apartment building from 21 to 18 storeys and to increase the height of the façade component from 6 to 9 storeys. The proposed back-to-back row dwellings have been eliminated and replaced by two separate buildings containing 7 row dwellings. The total unit count has been increased from 266 to 273 units. Several other site layout changes have also been proposed, which are illustrated on the provided concept plan. The Floor Space Index, as proposed by the applicant, remains unchanged at 3.9.

The Transportation and Works Department has indicated that through the site plan approval process, road widening and sight triangle conveyances will be required. A road widening of approximately 7.5 m (24.6 ft.) along the entire Lakeshore Road East frontage in conjunction with a 7.5 m (24.6 ft.) by 7.5 m (24.6 ft.) sight triangle will reduce the lot area by approximately 698.13 m<sup>2</sup> (7,515 sq. ft.). The revised concept plans and supporting materials have failed to address the revised lot area, its impact on FSI, net density and lot depth. Approximate figures have been calculated by staff and are as follows:

- Net lot area: 0.47 ha (1.16 ac.);
- Lot depth: 53.4 m (175.3 ft.);
- Net FSI: 4.5; and,
- Net density: 581 uph (235 upa).

In support of the revised proposal, a new Urban Design and Planning Rationale Report has been provided, as well as a revised concept plan, and elevation drawings which are attached to this report respectively as Appendix S-4 and Appendix S-5.

The current application is subject to the provisions of Bill 51 and has been processed and reviewed in accordance with these new *Planning Act* requirements in addition to established City of Mississauga requirements.

A detailed analysis of the revised proposal and the new Urban Design and Planning Rationale Report, focusing on the implications of Bill 51, current official plan policies, and Zoning By-law 0225-2007 is contained herein, but must be considered in conjunction with the evaluation of the previous applications.

To ensure that Council has provided appropriate direction to staff prior to the scheduled hearing, the City's standard protocol requiring a two part public consultation process has been modified to combine the Information and Supplementary Reports into one. The previous Planning and Building Department Supplementary Report, including Information Report for OZ 06/003 W1 is attached as Appendix S-6.

## COMMENTS:

### COMMUNITY ISSUES

Subsequent to the submission of the current application, numerous telephone calls and emails were received, reiterating the concerns previously outlined in the Supplementary Report for OZ 06/003 W1.

City and agency comments on the current application are attached in Appendix S-7.

### PLANNING COMMENTS

#### **Bill 51, *Planning Act* Requirements**

Changes to the *Planning Act* came into force on January 1, 2007, through Bill 51. The current application, unlike those previously



submitted, having been received subsequent to this date, is subject to these new provisions.

Bill 51 also requires a greater test of compliance with provincial policies, when approval authorities are rendering a decision. All decisions of an approval authority must be consistent with provincial policies; whereas previously decisions were to have regard to provincial policies.

Where the OMB is considering an appeal, regard must be had for the decision of the approval authority and any supporting information and materials that were considered by the approval authority in making its decision. To this end, the subject report and the attached Supplementary Report for OZ 06/003 W1 offer a complete review of the materials provided in support of the applications to ensure that Council has at its disposal all of the relevant information to make a fully informed decision regarding this matter. In addition, the new Urban Design and Planning Rationale Report is to be provided to members of Planning and Development Committee (PDC) along with the additional correspondence package of information, under separate cover, for consideration at the May 12, 2008 PDC meeting.

Furthermore, Section 2 of the *Planning Act*, outlining matters of provincial interest that regard must be had for during the evaluation of planning applications, has been expanded under Bill 51 to include "the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians."

### **Provincial Policy Statement (2005)**

The Province of Ontario issued a new Provincial Policy Statement (PPS) in 2005 which provides policy direction on planning matters of provincial interest. Changes to the *Planning Act* require that all decisions affecting planning matters shall be consistent with provincial policies, including the PPS. This application is subject to the policies of the PPS (2005).

The Policies state that "planning authorities shall identify and promote opportunities for intensification and redevelopment where

this can be accommodated, taking into account existing building stock or areas, including brownfield sites," and "appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while maintaining appropriate levels of public health and safety."

The City has established a hierarchy and structure of appropriate intensification areas through Mississauga Plan. The subject lands represent a lower tier intensification area that does not warrant intensification at the expense of community character and City structure.

### **Growth Plan for the Greater Golden Horseshoe**

On June 16, 2006, the Growth Plan for the Greater Golden Horseshoe came into effect. This document contains policies for managing growth and development in the Greater Golden Horseshoe by directing appropriate growth to built-up areas, promoting transit supportive densities, and supporting a mix of residential and employment land uses. There is a clear priority on intensification, with the identification of an urban growth centre, encouragement of transit supportive densities, and the efficient use of land and infrastructure, while discouraging sprawl. As previously noted, recent Bill 51 *Planning Act* changes require that decisions of Council shall conform with provincial plans that are in effect at the time of decision.

The Growth Plan requires local municipalities to implement the policies of the Plan in their local Official Plans, acknowledging the need for a coordinated approach to implementing the Growth Plan, thereby recognizing the need and importance of Municipalities in identifying and allocating these principles and implementing them in an integrated fashion within individual official plans.

The Growth Plan identifies regional employment and population forecasts to be achieved within the life of the Plan. Mississauga has accommodated for the allocated population forecast within the existing Official Plan policies, including the existing framework governing development of the subject lands.

Further, the proposed development exceeds the identified principles of residential intensification articulated in the Growth Plan by a significant margin at the expense of addressing the more holistic principles of developing 'complete communities' which recognize the community character and structure.

The proposed development could easily be scaled back in regard to height and density to a degree that matters pertaining to site context, built form transition, existing local policy context and the pedestrian realm would be addressed in a more appropriate fashion while still meeting identified growth and intensification targets. It can therefore be concluded that the proposed development does not conform to the Growth Plan for the Greater Golden Horseshoe to the same degree as the principles for an alternative development, which are articulated later in this report.

### **Region of Peel Official Plan**

The Official Plan for the Region of Peel was approved on October 22, 1996. The Plan is a broad land use policy document which provides guidance to area municipalities in the preparation and implementation of local Official Plans. Section 5.3.1.3 states as a general objective for "Urban Systems" (which the subject lands are designated) "to achieve intensified and compact form and a mix of land uses in appropriate areas that efficiently use land, services, infrastructure and public finances while taking into account the characteristics of existing communities and services." The subject application fails to appropriately consider the characteristics of the existing established community, specifically in regard to building height, density, massing and transition, and as such fails to conform with the general provisions of this plan.

### **Official Plan (Mississauga Plan)**

The subject lands are presently designated "Residential Low Density I" and "Motor Vehicle Commercial" in the Mississauga Plan policies for the Lakeview District. A separate Official Plan Amendment application under file OZ 06/003 W1 proposes to redesignate the lands "Residential High Density II – Special Site" to accommodate the proposed development.

Much of the previous discussion as contained in the Supplementary Report for OZ 06/003 W1 in regard to Mississauga Plan policies remains applicable. However, there have been several changes to Mississauga Plan, attributed in part to Provincial initiatives articulated in the Growth Plan, and in part responding to the City's new Zoning By-law 0225-2007, which must be considered. Accordingly, below is a review of current Mississauga Plan policies to be read in connection with the evaluation provided in the previous report.

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

On September 27, 2006, City Council adopted OPA 58. This amendment added interim residential intensification policies to Mississauga Plan which indicate: that intensification be directed to the Urban Growth Centre which is located along Hurontario Street, including City Centre; that vacant or underutilized lands outside the Urban Growth Centre can accommodate development in accordance with the existing policies of Mississauga Plan; and, that applications to amend Mississauga Plan for increased residential density must be within the intent of the plan, be based on sound planning principles, and enhance the surrounding community.

Specifically, Section 3.2.4.3 (a) reads "...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 3.2.4.4 (a) requires that "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 systems; lot frontages and areas; street and block patterns; building height; coverage; massing; architectural character; streetscapes; heritage features; setbacks; privacy and overview; the pedestrian environment; and, parking."

Section 3.2.4.4 (b) further states that "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."

The applicant has failed to demonstrate through the provided materials that the development appropriately addresses the matters of effective transition between areas of different development densities, height, massing, character, siting, setbacks and open and amenity spaces in addition to matters of streetscape, coverage, pedestrian environment and privacy and overview in accordance with the requirements of Section 3.2.4.3 (a) and Sections 3.2.4.4. (a) and (b).

### **City Centre, Nodes and Corridors**

The development of the City is based on a structure characterized by residential communities, employment districts, and major open space corridors. To accommodate growth, this structure is further broken down into areas that include an Urban Growth Centre (City Centre) and a series of Nodes and Corridors, which have been set aside to accommodate a greater variety and concentration of uses than in the surrounding areas. Corridors will act as a focus of activity for more compact, mixed use and more intensive transit supportive development.

The subject lands are not located within a node or an identified corridor, but are located along an arterial road some 620 m (2,034 ft.) (straight line radius) from the Long Branch GO Station. The proposed development does not conform with the policies of the Official Plan in regard to the following matters:

- Desirable increases in activity within this area, supportive of all forms of hard and soft services and infrastructure can be achieved with residential intensification of a substantially lower scale, which relates more closely with the existing and planned land uses;
- The proposed form of development does not reinforce or enhance the local community character which is typified by 1 and 2 storey residential detached dwellings to the north, 1 and

2 storey commercial structures to the east and west along Lakeshore Road East and high rise towers in the park to the northeast;

- The development of the northerly most portion of the lands for row dwellings will not achieve a desirable or appropriate transition in density and scale from the adjacent detached dwellings;
- The massing and scale of the proposed buildings do not integrate, transition and relate appropriately with the surrounding community, standing out in regard to building height and setbacks;
- Technical studies that have been submitted in support of the proposal, including the Acoustic Report provided to the Transportation and Works Department are not satisfactory and thereby fail to adequately address concerns regarding the compatibility of the proposed land use in regard to noise. Concerns in this regard do not just relate to ensuring appropriate noise levels for the proposed development, but also the impact of the proposed development on the ability of the adjacent car wash to continue to operate and expand in accordance with their current planning permissions. A revised Noise Report was provided by Queenscorp (Lakeshore) Inc. just at the time of completion of this report, but it was not possible for staff to complete their analysis of the updated report in time for revised comments to be included. An oral summary of the completed analysis will be provided during the May 12, 2008 PDC meeting;
- The proposed development would expand the range of living opportunities in the community, however, such opportunities would not be impacted negatively by developing the lands in a more contextually sensitive and appropriate fashion with a lower building height, FSI and density.

Staff undertook an analysis of the built form located along Lakeshore Road East in the Lakeview District as part of the Supplementary Report for OZ 06/003 W1. The conclusion of this earlier analysis was that the proposed development would represent one of the tallest buildings, with the highest FSI and highest density within the area. The current development proposal has been modified to reduce the overall height of the tower component, however an increase in the unit count is proposed

while maintaining the FSI at 3.9 (corrected to approximately 4.5). The proposed building would still be one of the tallest in the area and would have the highest FSI and density by a significant margin. Accordingly, the proposed height, FSI and density are well beyond the range that is anticipated by the local policy framework, the built form which exists in the area, that which is contextually appropriate and that which is necessary to support intensive bus transit service along Lakeshore Road East.

### **Zoning By-law 0225-2007, as amended**

The subject lands are presently zoned "R3" (Detached Dwelling - Typical Lot), which permits detached dwellings with minimum 15.0 m (49.2 ft.) lot frontages and "C5" (Motor Vehicle Commercial), which permits gas bars and ancillary service commercial kiosks. The proposal is to rezone these lands to an "RA5-Exception" (Apartment Dwellings) zone with an exception schedule consistent with the proposed concept plan shown on Appendix S-4.

The applicant has not provided a draft zoning by-law to date, in support of the current application, however, based upon the provided materials, the following standards are proposed as part of the "RA5-Exception" (Apartment Dwellings) zone:

- The inclusion of townhouse dwellings as a permitted use;
- A maximum Floor Space Index (FSI) of 3.9; and,
- A maximum building height of 18 storeys.

As noted earlier, the applicant has not reflected the correct net lot area that would result from required conveyances on the subject lands. An FSI closer to 4.5 results when applying the correct net lot area. The exception schedule, represented by the proposed concept plan attached as Appendix S-4, includes a number of exceptions to the standard zone requirements as outlined in Appendix S-9.

Further, the application is unclear in addressing the following matters:

- **Inclusion of ground level commercial uses**

The Urban Design and Planning Justification Report indicates that 22 live/work units are proposed at grade, 11 of which are to front onto Lakeshore Road East. However, the application form and supporting materials have failed to outline such matters as minimum and maximum unit sizes, the provision of adequate parking, commercial use access, signage, and range of permitted uses;

- **The provision of adequate amenity space**

The concept plan does not depict any ground level outdoor amenity space, only the provision of a roof top amenity area. Sufficient supporting information has not been provided to demonstrate how the provision of the greater of 5.6 m<sup>2</sup> (60.3 sq. ft.) per dwelling unit or 10% of the lot area has been addressed;

- **Landscaped open space**

The site statistics provided in support of the proposal indicate that 40% of the lot area is to be provided as landscape open space. The applicant has not provided the required detailed figures to confirm the accuracy of this figure.

Based upon the above information and supporting materials, the proposed zoning, including the requested exception schedule is not appropriate to accommodate the proposed development of the subject lands. The proposed building height and FSI far exceed what is appropriate in this area considering the current policy context. Further, the standards proposed, namely those through the exception schedule, vary significantly from those outlined in the general zone requirements for Apartment Dwellings and significantly increase the likelihood of negative impact on abutting properties, particularly in light of the extreme building height and FSI being proposed. Reductions in the required building and underground parking structure setbacks and landscape requirements place the proposed structures closer to the north and east property boundaries than is appropriate, increasing activity levels and reducing natural vegetative screening options. Further, the minimal setback of the parking structure ensures that any landscaped areas provided, however substandard, will have to periodically be uprooted and replaced when ongoing maintenance requirements of this structure is undertaken. This will prohibit the maturation of landscape screening which is expected over time.



It should also be noted that many of the setbacks identified on the concept plan cannot be considered accurate as the provided plan and supporting information have failed to address the requirements for a road widening along the entire Lakeshore Road East frontage and a sight triangle requirement at the corner of Deta Road. There does not appear to be sufficient room on site to maintain all of the structures on site with the same footprints and orientation and accommodate the conveyance requirements that will be necessary at the time of site plan approval.

### **Site Issues**

The density of the proposed development has increased to 505 uph (205 upa), whereas 493 uph (200 upa) was previously proposed. By excluding the lands which are to be conveyed to the City for road widening and sight triangle purposes, the net density figure is approximately 581 uph (235 upa).

The outlined changes have not addressed the planning concerns expressed in the Supplementary Report for OZ 06/003 W1, and in many cases have actually exacerbated the concerns previously expressed. For practical reasons, the background and technical issues continue to be addressed by the previous report prepared for OZ 06/003 W1. However, changes to the proposal and to the policy environment have necessitated a new detailed review of the current proposal above and beyond that undertaken in support of OZ 06/003 W1.

### *Community Character*

Lakeshore Road East through the Lakeview Planning District is typified by 1 and 2 storey commercial, mixed commercial and residential buildings. Later redevelopment along this corridor has been of urban context mid-rise apartment buildings. Despite the changes to the building height, unit count and density, the proposed development is less in keeping with the existing character along Lakeshore Road East than the previous proposal. The increased height of the façade of the apartment building increases the building mass at the street edge, further differentiating the building from any other buildings present in this context.

While the tower component has been lowered by three storeys, the height difference will be imperceptible at the ground level. Some reduction in shadow impact will result from this decrease; whereas the three storey increase in height of the façade component will be significant in regard to building mass at the street edge and the amount of shadow cast to the north and east during peak usage times for the park, car wash and sidewalk along the north side of Lakeshore Road East.

### *Built Form Transition*

Previous concerns were expressed regarding the effectiveness of the former back-to-back row dwellings in achieving transition to the abutting detached dwellings to the north. The replacement of these units with two separate buildings containing more traditional row dwellings continue to fail to achieve an appropriate and gradual transition in height from the detached dwellings to the façade of the apartment building. Under the current concept, the façade has been raised from 6 to 9 storeys, bringing greater building height and mass closer to the detached dwellings, which furthers the inability to deal with transition in the space provided. In addition, the second row dwelling structure does not benefit from an appropriate building placement which is consistent with the existing established area. Further, such placement creates an undesirable overlook condition where these units are immediately adjacent to the rear yard of the detached dwelling abutting to the north. A more appropriate transition between differing built forms and densities to the north would include a greater distance separation, a manipulation of massing and built form to achieve building step downs and significant landscape screen planting.

The 18 floors in the tower are fewer in terms of storeys than those buildings located at 1515 and 1535 Lakeshore Road East, but not in regard to absolute height from ground level to the roof top. The established downward trend in terms of building height, FSI and density from the Long Branch GO Station, westward towards the subject lands, is not achieved by the proposed development. Therefore, significant reductions in height and FSI are required.

The omissions in the provided concept plan in regard to road widening and daylight triangle requirements draw into question the

transitional elements presently being proposed and the ability of the concept to continue to accommodate them without a significant redesign.

### *Streetscape*

Despite material changes to the proposed development, the applicant has failed to address concerns regarding the negative impact of the proposed development on the streetscape and pedestrian environment. Specifically, the proposal still includes a significant encroachment of the parking structure above grade, where at points it is less than 0.9 m (2.9 ft.) from the edge of the sidewalk. The impacts of this blank wall as a consequence of the above grade parking structure and the entrances that lead onto private amenity spaces are not street related and provide little or no active pedestrian oriented development. Further, the remaining units in the building have no direct access to Lakeshore Road East.

The Urban Design and Planning Rationale Report indicates that 22 of the ground level units, 11 of which front onto Lakeshore Road East, are proposed as live/work lofts, part of which may be used for a business establishment provided the dwelling unit is the primary residence of the business operator. The layout and size of the units in conjunction with the omission of any clear request for permissions beyond residential, indicates that there cannot be a reasonable expectation that these units will be used for live/work purposes. In addition, provisions have not been made for a service corridor or direct access to loading or garbage storage areas for the commercial uses. Therefore, as currently configured, these units will not be able to function as described.

Through the previous applications proposing a building with a 21 storey tower and 6 storey façade, the applicant submitted a desktop simulation pedestrian wind comfort assessment to estimate the potential pedestrian wind conditions.

It was determined that based on the wind flow around the general building forms in combination with regional wind data, that overall the existing wind conditions on and around the study site are predicted to be comfortable for standing during the summer and walking in the winter. With the proposed development in place,

accelerated winds are predicted for a few isolated locations around the site. Based on the findings of the report, the majority of the uncomfortable areas were along the public sidewalk along Lakeshore Road East and at the pedestrian corner of Lakeshore Road East and Deta Road.

As noted in the report, "large buildings, relative to their surroundings, tend to intercept the stronger winds at higher elevations and redirect them down to the ground level". This is demonstrated by the conclusions of the report provided in support of the concept, where the greatest impacts are anticipated on and adjacent to the Lakeshore Road East sidewalk and on the private amenity spaces provided to the south of the proposed building. An updated analysis which includes comprehensive wind tunnel testing will be required for the current proposal which also addresses in more detail the appropriate building form and potential resolutions to negative impacts along Lakeshore Road East.

### **Transit Supportive Development**

The support and operation of transit is a critical consideration in the review of development applications for intensification along an arterial roadway. Transit routes passing along the Lakeshore Road East corridor immediately adjacent the subject lands include:

- Routes 5 and 5B – Two routes which travels north/south along Dixie Road and east/west along Lakeshore Road East connecting areas along Dixie Road, as far north as Derry Road East with the Long Branch GO Station;
- Route 23 – A route which connects the Clarkson and Long Branch GO Stations with an east/west travel along Lakeshore Road.

For peak time transit service to be viable for a high level of service, the Province's guidelines recommend that the surrounding density be at a minimum of 17 uph (7 upa) for ½ hour bus service and 37 uph (15 upa) for more frequent 10 minute service intervals. Intensification of the subject lands at or above this threshold will increase the viability of transit services along Lakeshore Road.

The proposed development would result in a requested net density in excess of 505 uph (205 upa), nearly 13 times the established provincial standard to support extensive bus transit service. A corrected net density of 581 uph (235 upa) represents nearly 16 times the Provincially established standard. A more moderate approach to residential intensification is called for and can be supported in accordance with Provincial policies, guidelines and commonly accepted principles for transit supportive development. Accordingly, concerns regarding site design, character, transition and community and policy context should be weighed more heavily when considering an application which exceeds the established and acceptable thresholds to such a degree to support existing and planned transit services.

### **Alternative Development Concept Principles**

In recognition of the completion of the community visioning component of the Lakeview District Policies review and in preparation for future OMB proceedings regarding this matter, Planning and Building Department staff have prepared a series of principles for an alternative development which should be applied to the subject lands and other lands along Lakeshore Road East throughout the Lakeview District to establish the most appropriate types of development that should occur. These principles are attached as Appendix S-8. The principles which are articulated are an amalgamation of relevant official plan policies, components of the Lakeshore Road Design Concept, provisions from the "C4" (Mainstreet Commercial) zone category and proper urban design and planning principles which recognize and are consistent with applicable Provincial policies.

The Lakeshore Road Design Concept and the Lakeview District Policies of Mississauga Plan encourage the development of Lakeshore Road East for mixed use residential and commercial development consistent with the general requirements of the "Mainstreet Commercial" land use designation. Accordingly, any redevelopment of the subject lands should implement a "Mainstreet Commercial" land use designation which would utilize special site provisions to address any residential component beyond the built form envisioned within the base designation. Any special site provisions should address the following:

- maximum FSI limits;
- maximum building height restrictions if height in excess of 4 storeys is warranted;
- the assurance of ground level commercial uses in combination with upper level residential or office uses.

Similarly, the most appropriate zoning category would be "C4-Exception" (Mainstreet Commercial). The recommended zoning category would rely on the base "C4" zone standards for mixed use, mainstreet development, with modifications to accommodate the principles articulated below.

### *Building Height*

The subject lands have a lot depth in excess of that which generally exists elsewhere along the north side of Lakeshore Road East, within the Lakeview Planning District, even after accommodating for road widening requirements. As a result, there is adequate space on site to transition a built form of no more than 6 storeys, when located right at the Lakeshore Road East frontage, into that of the existing established neighbourhood to the north. Such a transition could be achieved with building height step downs to seamlessly match the heights of the residential lands to the north or through distance separations which are utilized for extensive landscape plantings.

The subject lands are located on the north side of Lakeshore Road East, immediately across the street from the Arsenal Lands, a future regional park. The lack of planned built form to frame the south side of Lakeshore Road East provides some flexibility on the height which may be provided on the north side, thereby warranting some increase in height over the prescribed 4 storey height limitations.

In addition, the lands fall approximately 120 m (394 ft.) outside of the 500 m (1,640 ft.) radius which defines the Major Transit Station Area (MTSA) surrounding the Long Branch GO Transit Station. A greater height and density is warranted on the subject lands on the basis that a transition in height and density should be provided outward from the MTSA to the surrounding area.

Existing within and partially within the established MTSA are two 20 storey buildings and a 12 storey building. The continuation of a downward trend in height would be supported with a 6 storey building height on the subject lands.

### *Transition*

The discussion of transition must also discuss density and FSI to ensure that the City's hierarchical structure as articulated in Mississauga Plan is maintained.

The subject lands could reasonably be developed with a residential FSI of 1.8 based upon the lot size, impacts and context. This would be sufficient to accommodate approximately 125 units, with a healthy mix of unit sizes including 3 bedroom units. This would result in a net residential density of approximately 260 uph (108 upa).

The provision of density and massing, as indicated, will ensure more intense and dense development within an area that is considered a transition from the Long Branch GO Station MTSA to the surrounding neighbourhood.

Mississauga Plan indicates that lands, such as those located adjacent to arterial roads also provide suitable locations for higher levels of development in terms of density and height, subject to compatibility with surrounding land uses and a suitable transition of built form to the surrounding area. The indicated density and FSI thresholds exceed those figures established in the area, while ensuring that there is adequate room on site to implement transitional measures while still being more than adequate to support and increase the viability of existing and planned transit services along Lakeshore Road East.

### *Streetscape and Pedestrian Realm*

The development of the subject lands must be considerate of the Lakeshore Road East frontage in achieving an attractive, pedestrian oriented environment with street related commercial activities and main residential building entrances at grade. In addition to considering building heights, densities and built form

transitions, appropriate development must also consider the pedestrian realm and streetscape condition, particularly along Lakeshore Road East.

An active, vibrant and pleasant pedestrian environment and streetscape shall be achieved for Lakeshore Road East. To achieve this goal, the building must be constructed at street level to facilitate the movement of people from the sidewalk into the building with minimal barriers. At least 70% of the building shall front directly onto Lakeshore Road East with a setback ranging from 0.6 m (2 ft.) to 3.0 m (9.8 ft.) and shall employ street level entry commercial uses which support an active street frontage. To this end, the entire ground level fronting Lakeshore Road East, with the exception of space devoted to the main residential entry should be commercial. All ground level units should have entrances onto Lakeshore Road East which are not encumbered by a grade separation from the sidewalk level. The commercial uses and building façade may 'wrap' the corner at Deta Road for a maximum depth of 10 m (33 ft.), the depth of a standard commercial unit. This will ensure that the building and uses contained within will provide visual interest and animation of the street edge to improve the pedestrian environment to passing traffic. The variable setbacks will ensure a visual connection and contribution, while providing adequate opportunities for 'spill out' without inhibiting the flow of pedestrian traffic.

Parking is encouraged to be provided below grade, with little or none provided above grade. Under no circumstances should parking be located between the building and a public road. In addition, any underground parking structure should not project above existing grade and shall be located in such a fashion to ensure that the ground level of the building matches existing grade with no barriers to pedestrian movement.

#### *Other Considerations*

Other considerations dealing with yard requirements, landscaped area depths and parking structure setbacks, for interior side and rear yards should be addressed in a fashion similar to the Residential Apartment zone categories, ensuring that building setbacks and underground setbacks are sufficient to accommodate



significant landscape screening which is unhindered by maintenance requirements of underground structures. To this end, no buildings should be located closer than 7.5 m (24.6 ft.) from the nearest property line, which is adjacent to low rise residential built form, because a townhouse built form is not appropriate to achieve the necessary transition. The underground parking structure shall be setback a minimum of 3.0 m (9.8 ft.) from any interior side or rear yard to ensure the provision of landscape screen materials which would not be encumbered or damaged through long term maintenance requirements.

Studies should be undertaken to assess shadow impact and pedestrian wind comfort for any development proposed to ensure that previously referenced negative impacts are not present or can be mitigated to an acceptable degree.

### **Public Benefits – Section 37**

Section 37 of the *Planning Act* permits municipalities to pass zoning by-laws to authorize increases in height and/or density beyond what is otherwise permitted in return for the provision of such facilities, services and matters (public benefits) as are set out in the by-law authorizing the increase. The *Planning Act* provides that Section 37 powers may be used only where there are official plan provisions in effect relating to the authorization of increases in height and density of development. The public benefits may be secured in an agreement that may be registered on title.

Section 37 powers are fundamentally different from the power granted to municipalities to collect development charges. While development charges are essentially a development tax which must be paid whether an increase in density or height has been granted or not, Section 37 allows the municipality and the developer to share in the value added to the site through the granting by the municipality of increased height and/or density.

Although the development as proposed by the applicant does not include a Section 37 component, this matter must be discussed in the evaluation and in seeking direction from Council prior to presenting evidence at upcoming OMB proceedings.

Section 5.3.3.2 – Bonus Zoning of Mississauga Plan, enables Mississauga to utilize Section 37 powers. Similarly to the provisions of the *Planning Act*, Mississauga Plan indicates that, "City Council may pass by-laws permitting increases in height and/or density for development permitted by this Plan and/or comprehensive Zoning By-law to enable the City to secure specific amenities that benefit the City". Further stating that, "In all cases, the increased height and/or density will be based on a site specific review. In reviewing the proposed increase in height and/or density City Council will ensure that: the proposed development is compatible with the scale and character of the surrounding area and has little impact on neighbouring uses; there are adequate engineering services and community services; the transportation system can accommodate the increase in density; a traffic study will generally be required; the site is suitable in terms of size and shape, to accommodate the necessary on site functions, parking, landscaping, and recreational facilities; a special study is required from the applicant which establishes an equitable relationship between the benefit to the owner of the value of the density increase that may be permitted and the value of the facility, service, or matter to the public."

The development as currently proposed, does not pass all of the qualifying tests mandated in Mississauga Plan, as outlined in the planning analysis detailed previously. The principles for an alternative development, when applied to the subject lands, would meet the qualifying tests mandated by the *Planning Act* and Mississauga Plan, and as such, a Section 37 contribution should be considered.

As the City is without a formal application for a Section 37 and without a report which evaluates the relationship between any public benefits contribution and the land value of the density increase that would result from the implementation of the principles for alternative development, specific conclusions about the value of the contributions is not possible. Recognition of some form of residential intensification is permitted under existing Official Plan policies and pursuit of a Section 37 contribution is therefore appropriate.

That being said, the proposed development and principles for alternative development have been discussed amongst staff from the Planning and Building, Community Services and Transportation and Works Departments to determine what public benefits should be sought in support of increased building height and density. It was concluded that there is a nexus between the form and degree of intensification contemplated and the need for services to facilitate improvements to pedestrian connections and the streetscape along Lakeshore Road East in the area of the subject lands.

Specifically, pedestrian connectivity to and along the south side of Lakeshore Road East is not sufficient to accommodate the additional residential density. Residential development, which includes intensification above and beyond existing policy thresholds will result in increased use of the transit system, parkland and natural areas along Lake Ontario to the south and increased pedestrian movements to the City of Toronto to the east. To improve these pedestrian movements, particularly for future residents wishing to utilize the east bound bus routes, a pedestrian activated crossing of Lakeshore Road East should be pursued. In consultation with the Transportation and Works Department, the benefits of such improvements were recognized, as was the potential for pedestrian/ vehicular conflicts. To minimize such conflict, a proper three-way traffic signal, including pedestrian crossing elements is recommended for the intersection of Lakeshore Road East and Deta Road. The implementation of these improvements should be sought through a public benefits contribution, as the need arises directly from increased use expected from increased population and density and there are not sufficient warrants to require signalization of the existing intersection for vehicular movements alone.

In addition, it should also be noted that the existing sidewalk along the south side of Lakeshore Road East terminates west of Deta Road, prior to reaching the bus stop located south of Deta Road. As part of the pedestrian access works, this sidewalk must be extended east of its current termination point, past the existing bus stop all the way to the City boundary. These sidewalk construction works have not been identified within any capital works budgets

for streetscape improvement works or for construction associated with the Arsenal Lands park development.

Furthermore, accommodations should be made through this process to obtain streetscape improvements, including the harmonization and replacement of hard surface areas adjacent to the sidewalk, street furniture and pedestrian scale street lighting, as necessary, within the immediate vicinity of the subject lands.

As a condition of approval for any redevelopment of the subject lands, which includes residential intensification to the degree contemplated herein, the developer should be required to enter into a Section 37 agreement with the City to accommodate the above noted works.

### **Applicant's Urban Design and Planning Rationale Report**

With the submission of the current application for Rezoning, the applicant provided a new Urban Design and Planning Rationale Report, prepared by Bousefields Inc. and The Butler Group (Consultants) Inc. This 105 page document consists of a detailed analysis of the proposed development from an Urban Design and Planning perspective. In general terms, some of the key themes of the report are outlined in Appendix S-10.

### **Planning Fees**

With the submission of the subject application on February 15, 2008, planning fees in the amount of \$45,785.35 and a newspaper advertisement fee in the amount of \$820.00 were submitted under protest. In a letter dated March 7, 2008 to the OMB, Queenscorp (Lakeshore) Inc. appealed these fees noting that the current application seeks to permit the same development proposed and under appeal before the Board and as the current application is "identical" to that already before the Board, there would appear to be no need and no basis for the City to incur further costs in processing the new application.

The current Fees and Charges By-law does not provide staff the authority to waive or reduce the planning processing fees under the circumstances described above, and as such, City Council must

provide direction to staff regarding the position to be taken to resolve the appeal to the planning processing fees during forthcoming OMB hearings.

The subject application is not identical to that previously considered by Council. The proposed building heights and unit counts have been modified, a new Urban Design and Planning Rational Report prepared by a new consultant group has been provided and the evaluative criteria under both the *Planning Act* and Mississauga Plan are different, having been modified in the time between the submission of the original applications for Official Plan Amendment and Rezoning and the current application for Rezoning. In addition, the proposal must be considered in light of the new provisions of Zoning By-law 0225-2007, which applies a substantially different methodology and establishes new, more current goals for residential apartment development.

The current application has been submitted under the Bill 51 *Planning Act* regime which mandates rigorous tests for application completeness and the fulsome review of applications and supporting materials by Council.

Mississauga Plan policies pertaining to residential intensification, which were put in place subsequent to the receipt of the original applications are now in force and must be applied to the evaluation of the current application.

The current application evaluation does rely on some materials that were provided in support of and evaluated during the review of the previous applications for Official Plan Amendment and Rezoning. Accordingly, the review of some of the supporting materials has been less involved, primarily ensuring the conclusions remain valid, recognizing that a detailed analysis was previously undertaken. The duplicity present in this aspect of the review of the proposal has reduced the amount of staff time necessary to undertake a full review of the application and make recommendations, than would normally be required.

Significant staff time has been spent to circulate the application for comments, to administer the planning process, to send out

appropriate public notifications of a complete application and statutory public information meeting, to evaluate the changes to the application and the concept in accordance with the existing policy environment to review new reports, to compile technical comments and to present conclusions to City Council. Based upon the amount of staff time devoted towards the review and processing of the current applications, a reduction in the Planning Processing Fees of about 40% is warranted. This would result in a reduction from \$45,785.35 to \$27,471.21. As costs have been incurred advertising for the current public meeting, a reduction in the newspaper advertisement fee is not warranted.

In view of the preceding, City Council should provide the Planning and Building Department with the authority to instruct Legal Services staff to resolve appeals to the planning processing fees, in accordance with the above, during future OMB proceedings.

**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:**

The proposed rezoning application is not acceptable from a planning standpoint and should therefore be refused for the following reasons:

1. The subject application is not consistent with the applicable provincial policies, including the Growth Plan for the Greater Golden Horseshoe in achieving the objectives of complete communities which are healthy, vibrant and livable.
2. The proposed development does not conform with Mississauga Plan policies nor does it contribute toward the achievement of the overall intent, goals, objectives and policies.
3. The proposed development is not consistent and compatible with the existing established and planned community.
4. The site is too small to accommodate the proposed development and does not address technical requirements which impact the ability to develop the lands as proposed.

5. Outstanding technical concerns have not been addressed as of the date of preparation of this report.

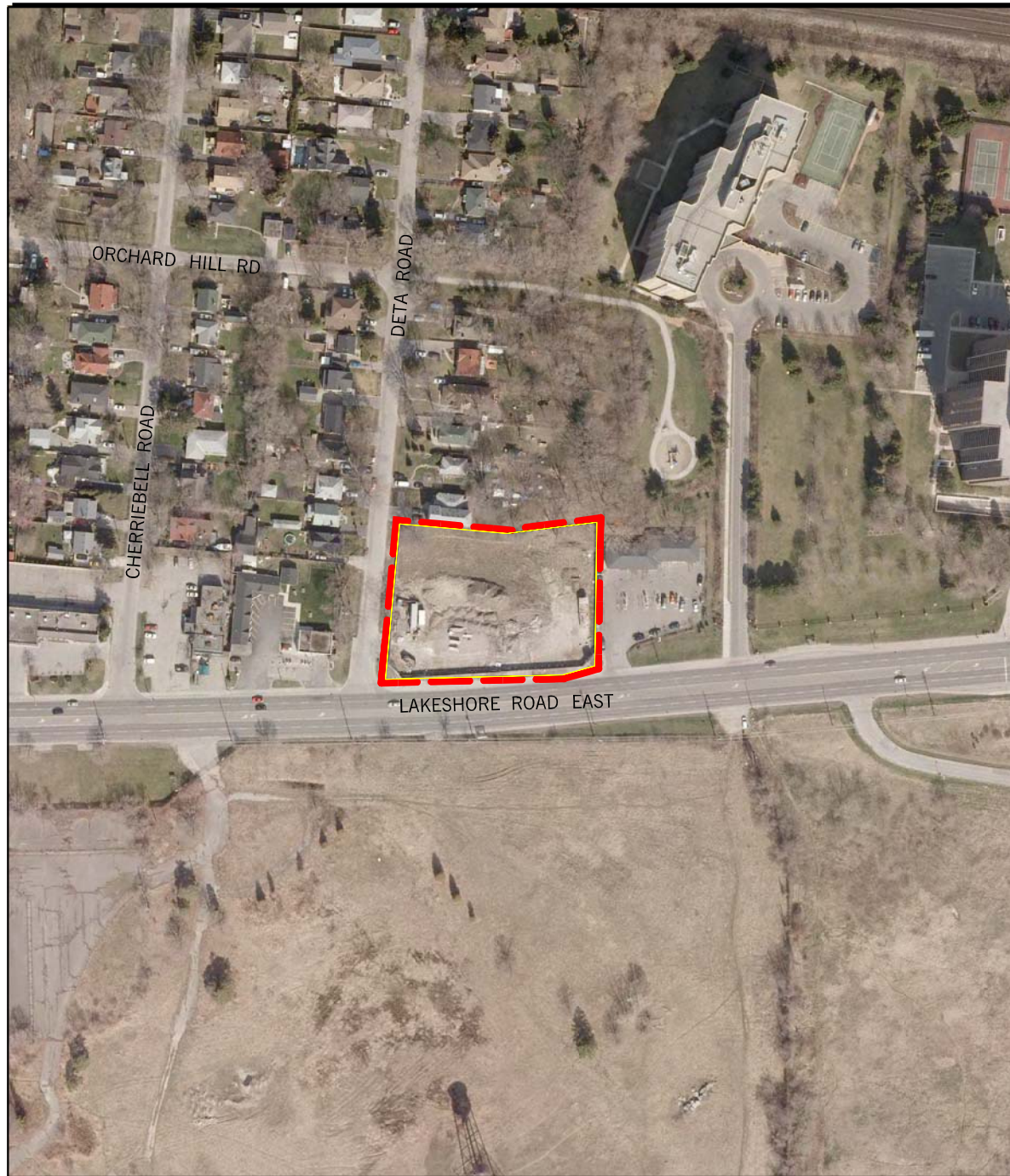
**ATTACHMENTS:**

Appendix S-1 – Aerial Photograph  
Appendix S-2 – Excerpt of Lakeview District Land Use Map  
Appendix S-3 – Excerpt of Existing Land Use Map  
Appendix S-4 – Concept Plan  
Appendix S-5 – Elevations  
Appendix S-6 – Supplementary Report – OZ 06/003 W1  
Appendix S-7 – Agency Comments  
Appendix S-8 – Principles for Alternative Development  
Appendix S-9 – Zone Standards Proposed and Required  
Appendix S-10 – Applicant's Urban Design and Planning Rational  
Report  
Appendix S-11 – General Context Map

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Edward R. Sajecki  
Commissioner of Planning and Building

*Prepared By: John Hardcastle, Development Planner*



**LEGEND:**



**SUBJECT LANDS**

DATE OF AERIAL PHOTO: 2007



**SUBJECT:**

**QUEENSCORP (LAKESHORE) INC.**



FILE NO:  
OZ 08003 W1

DWG. NO:  
08003A

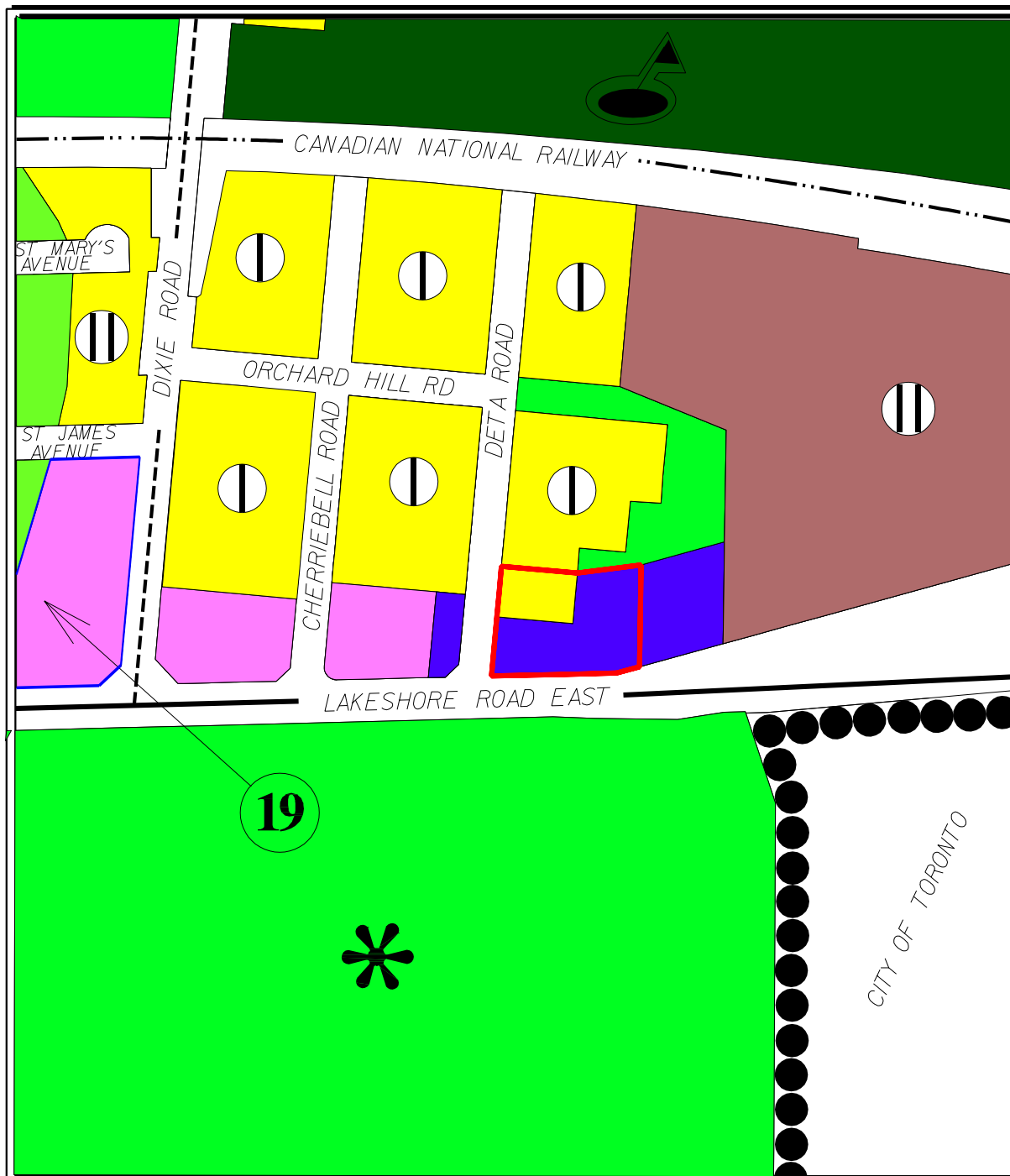
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PDC DATE:  
2008 05 12

DRAWN BY:  
R.DICOSOLA

APPENDIX S-1





# **PART OF LAKEVIEW DISTRICT LAND USE MAP** **LAKEVIEW DISTRICT POLICIES OF MISSISSAUGA PLAN**

## **LAND USE DESIGNATIONS**

- Residential – Low Density I
- Residential – Low Density II
- Residential – Medium Density I
- Residential – High Density I
- Residential – High Density II
- Mainstreet Commercial
- General Commercial
- Convenience Commercial
- Motor Vehicle Commercial
- Business Employment
- Public Open Space
- Private Open Space
- Greenbelt
- Utility

## **TRANSPORTATION LEGEND**

- Provincial Highway and Interchange
- Arterial
- Major Collector
- Major Collector (Scenic Route)
- Minor Collector
- Local Road
- Existing Commuter Rail

## **LAND USE LEGEND**

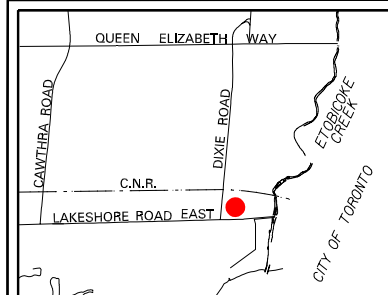
- Regulatory Floodplain
- Golf Course
- Proposed Stormwater Management Facility
- Planning District
- Special Site Areas (See Special Site Policies)

**SUBJECT LANDS**



**SUBJECT:**

**QUEENSCORP (LAKESHORE) INC.**



**FILE NO:**

**OZ 08003 W1**

**DWG. NO:**

**08003L**

**SCALE:**

**1:5000**

**PDC DATE:**

**2008 05 12**

**DRAWN BY:**

**R.DICOSOLA**

**MISSISSAUGA**  
 Planning and Building

Produced by  
 T&W, Geomatics

**APPENDIX S-2**

# BY-LAW 0225-2007

## LEGEND:



PROPOSED REZONING FROM "R3" (RESIDENTIAL-TYPICAL LOTS) AND "C5" (MOTOR VEHICLE COMMERCIAL) TO "RA5-EXCEPTION" (APARTMENT DWELLINGS) TO PERMIT A 18 STOREY APARTMENT BUILDING CONTAINING 266 UNITS AND 7 ROW DWELLINGS.

NOTE: EXISTING ZONING DELINEATED ON THE PLAN  
PROPOSED ZONING INDICATED BY SHADING WITHIN  
THE APPLICATION AREA.



## SUBJECT:

QUEENSCORP (LAKESHORE) INC.



FILE NO:

OZ 08003 W1

DWG. NO:

08003R

SCALE:

1:2500

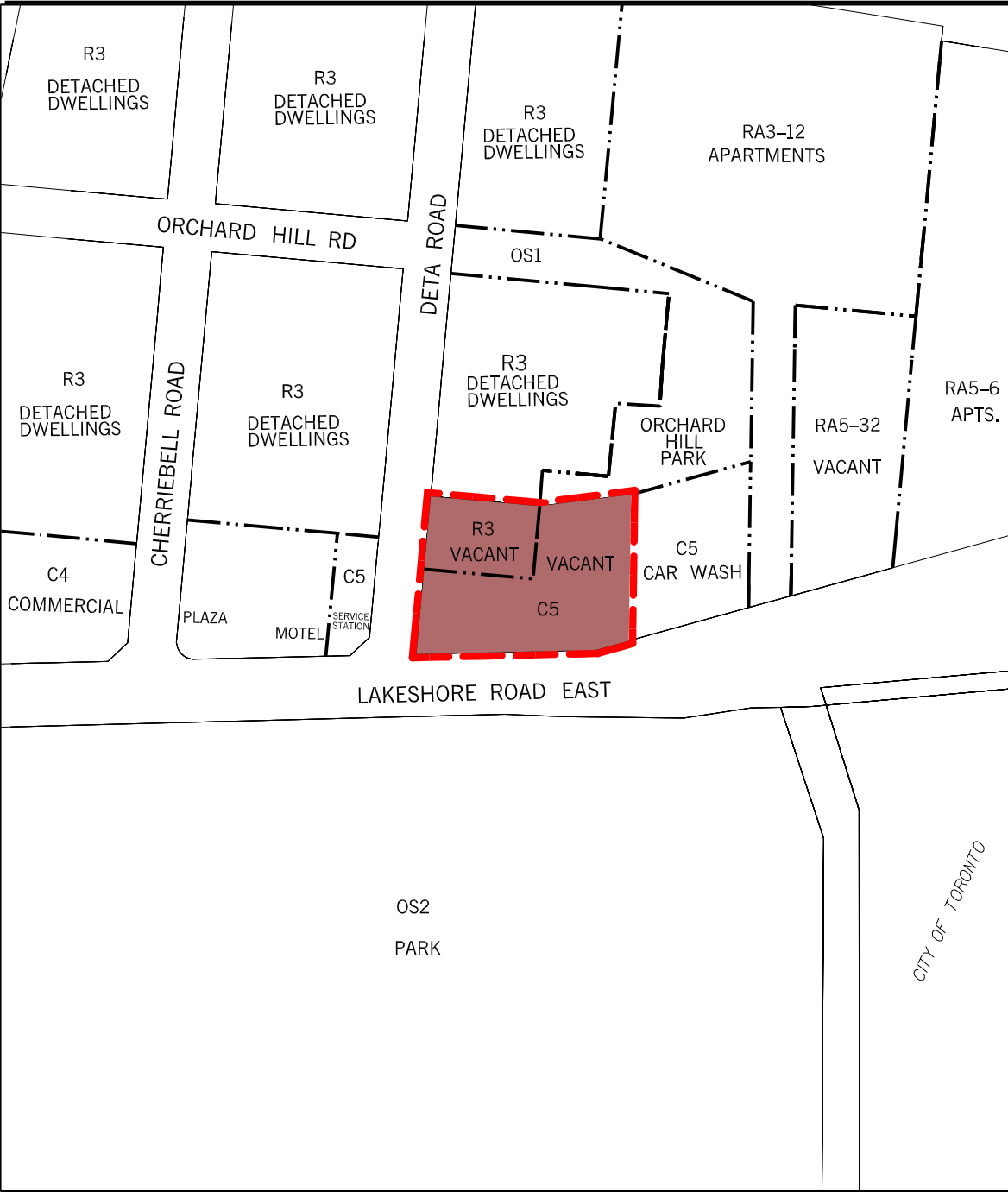
PDC DATE:

2008 05 12

DRAWN BY:

R.DICOSOLA

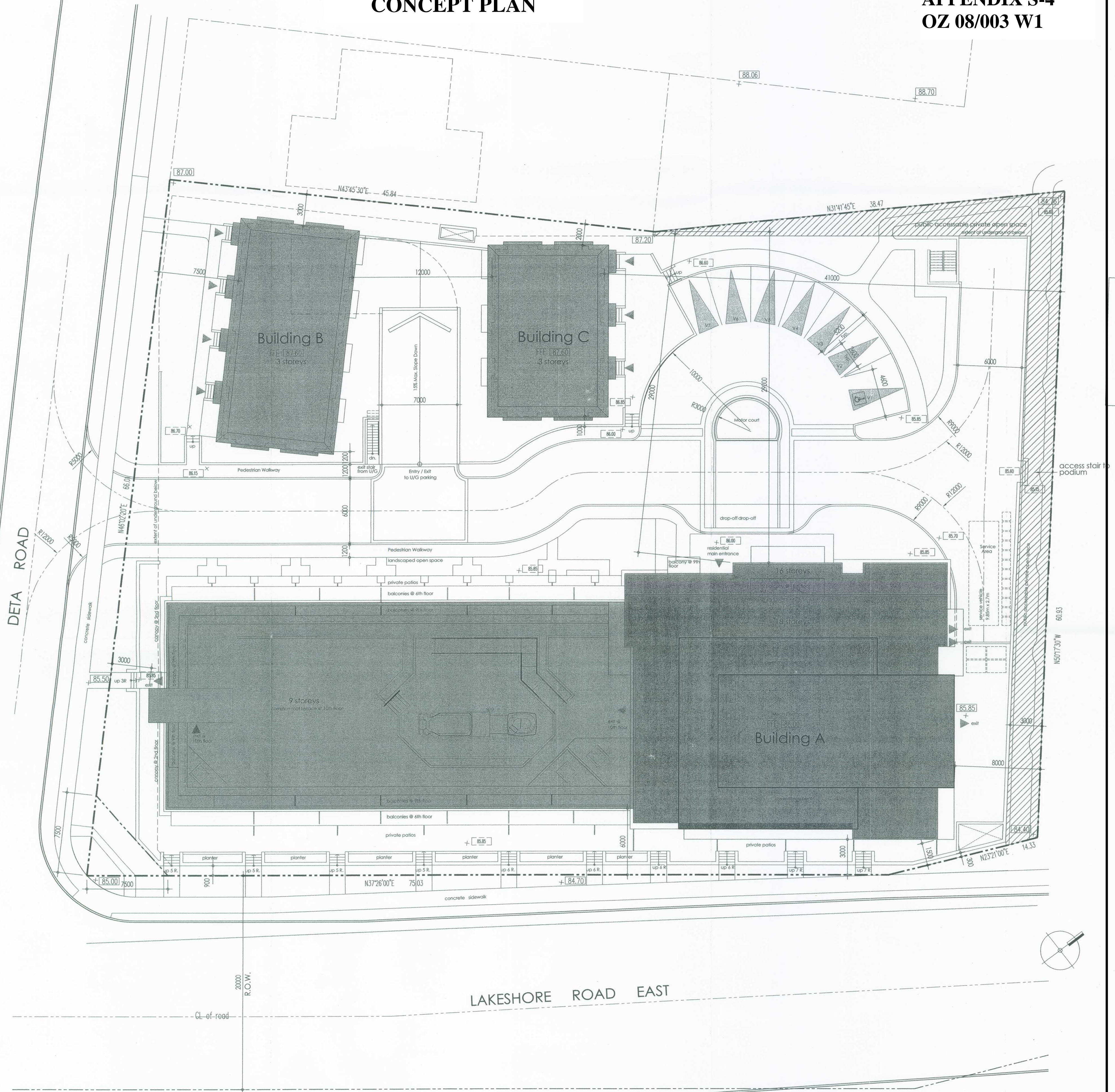
APPENDIX S-3



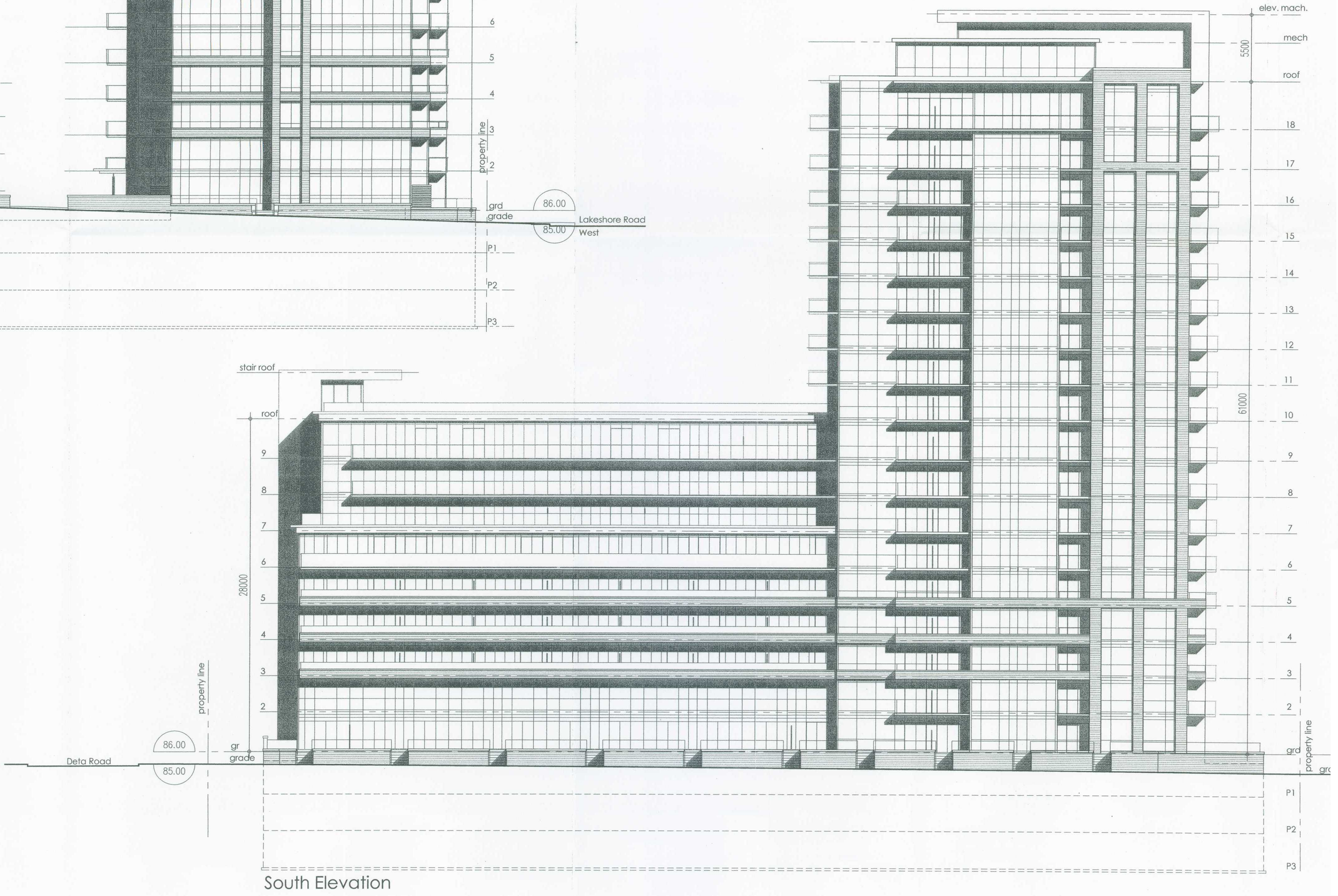
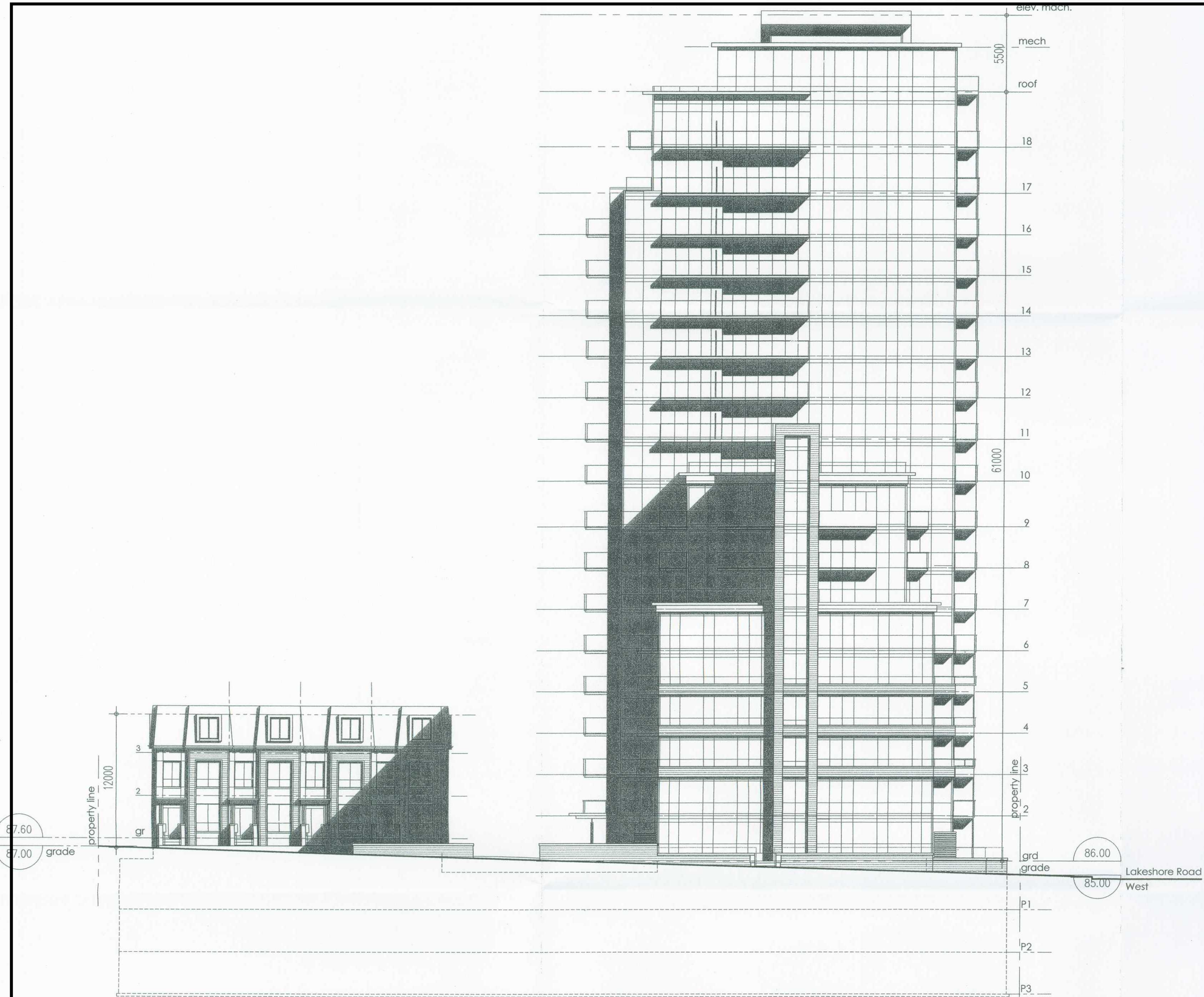


## CONCEPT PLAN

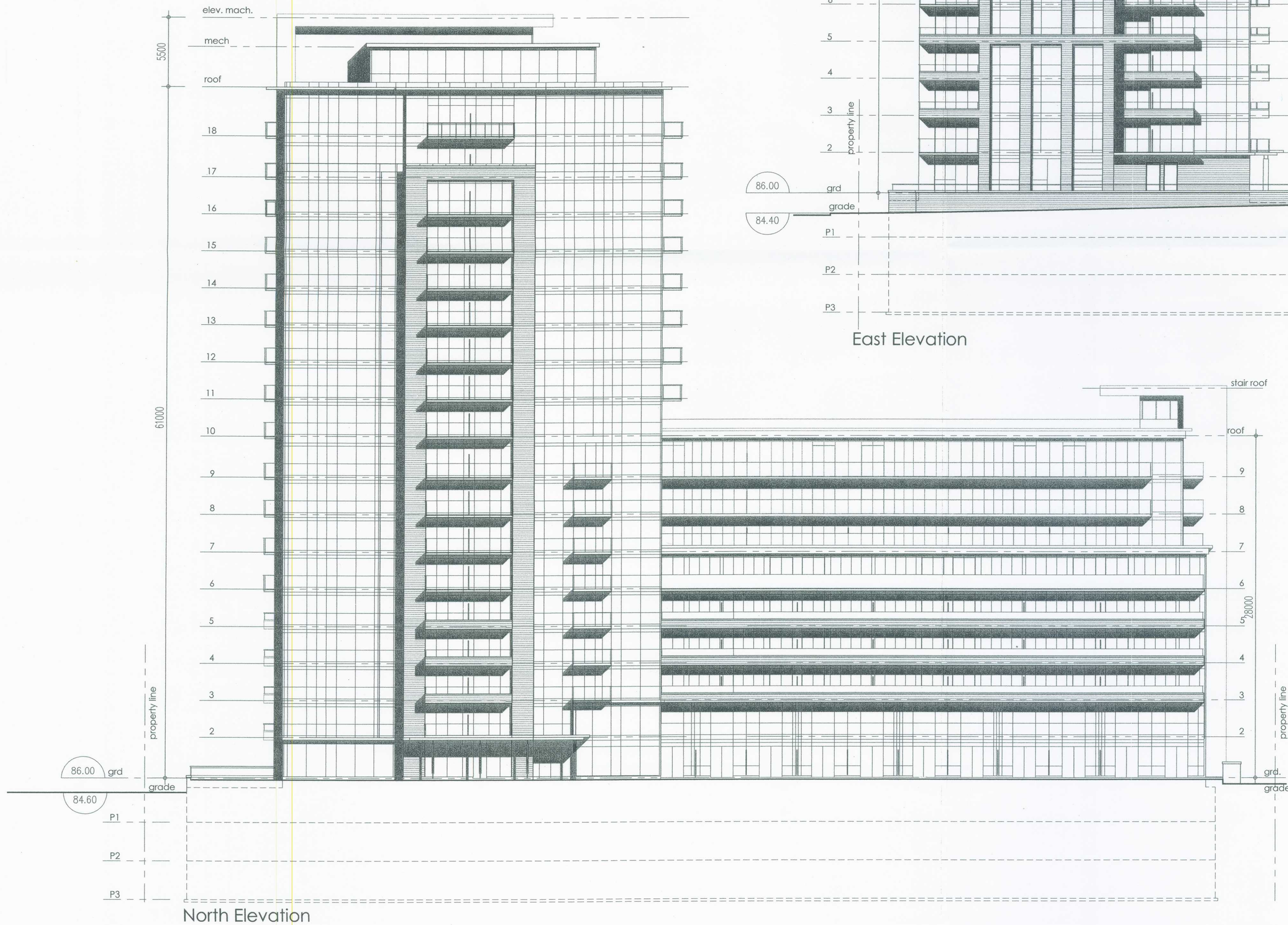
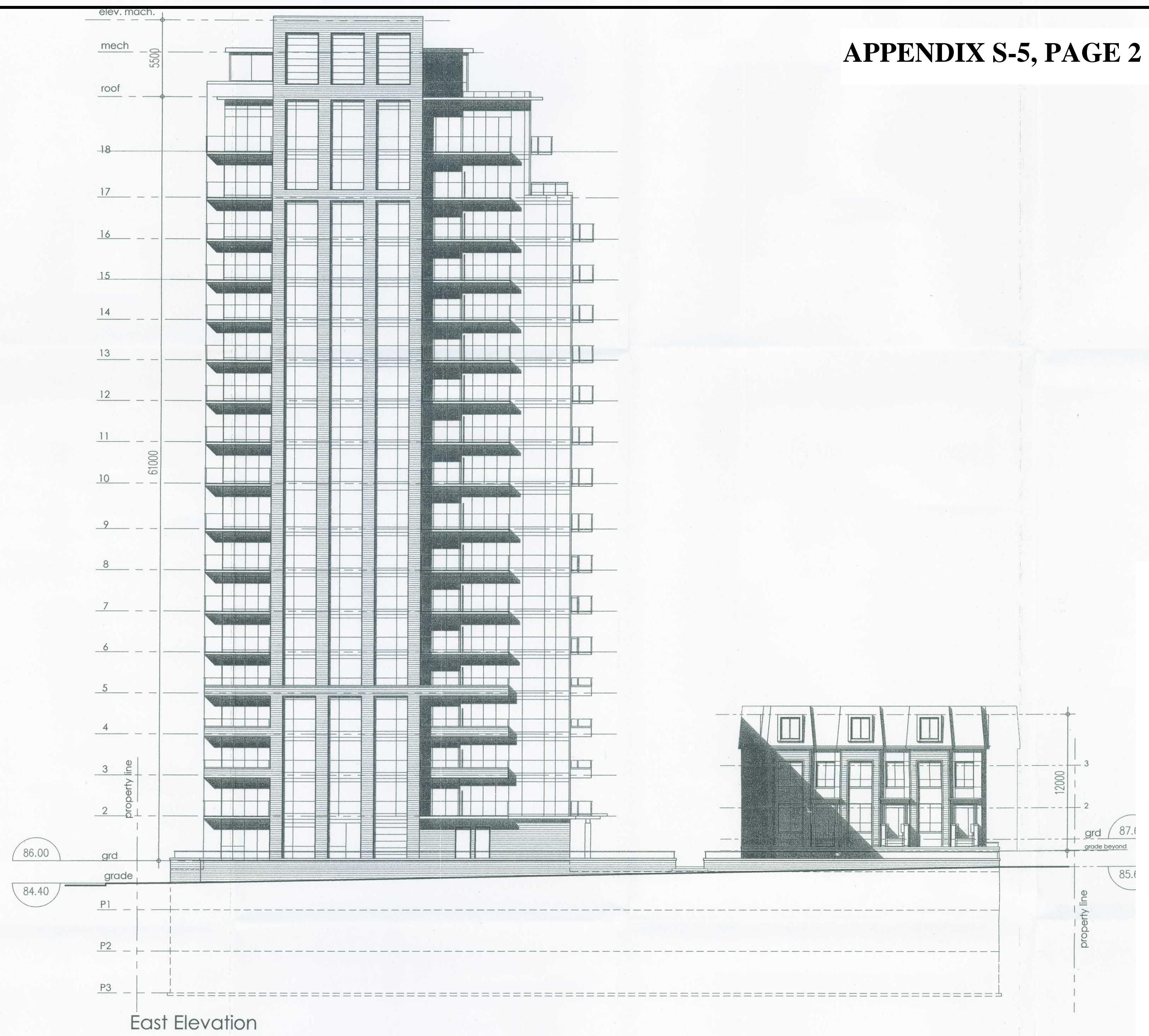
**APPENDIX S-4**  
**OZ 08/003 W1**















# Corporate Report

Clerk's Files

Originator's  
Files OZ 06/003 W1**PDC** JAN 14 2008

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**DATE:** December 11, 2007

**TO:** Chair and Members of Planning and Development Committee  
Meeting Date: January 14, 2008

**FROM:** Edward R. Sajecki  
Commissioner of Planning and Building

**SUBJECT:** **Official Plan Amendment and Rezoning Applications**  
**To permit a 21 storey, 260 unit condominium apartment**  
**building and 6 back-to-back row dwellings**  
**1439, 1451 Lakeshore Road East and 1013, 1017 Deta Road**  
**Northeast corner of Lakeshore Road East and Deta Road**  
**Owner: Queenscorp (Lakeshore) Inc.**  
**Applicant: John D. Rogers and Associates Inc.**  
**Bill 20**

**Supplementary Report** **Ward 1**

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**RECOMMENDATION:** That the Report dated December 11, 2007, from the Commissioner of Planning and Building regarding applications under File OZ 06/003 W1, Queenscorp (Lakeshore) Inc., 1439, 1451 Lakeshore Road East and 1013, 1017 Deta Road, be adopted in accordance with the following:

1. That the application to amend Mississauga Plan from "Residential Low Density I" and "Motor Vehicle Commercial" to "Residential High Density II-Special Site" to permit a 21 storey, 260 unit condominium apartment building and 6 back-to-back row dwellings, be refused.
2. That the application to change the Zoning from "R4" (Residential Detached) and "AC" (Automotive Commercial)

to "RM7D5-Special Section" (Residential Multiple Family) to permit a 21 storey, 260 unit condominium apartment building and 6 back-to-back row dwellings, be refused.

3. That City Council direct Legal Services and representatives from the appropriate City Departments to attend any Ontario Municipal Board proceedings which may take place in connection with these applications in support of the recommendations outlined in the report dated December 11, 2007.

**REPORT SUMMARY:**

This report responds to the questions and comments raised by area residents who presented to Planning and Development Committee last October and in comments made after that meeting. It provides an evaluation of the development applications in the context of the relevant provincial and Mississauga Plan policies, the comments from various City Departments, agencies and the public, as well as the applicant's planning rationale for the proposed development.

The Planning and Building Department has evaluated the Official Plan Amendment and Rezoning applications in the context of the relevant policies in the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan and Mississauga Plan, in addition to comments received from City Departments, agencies and the public.

The report concludes that the applications do not represent good planning and should be refused and that Legal Services and appropriate City Departments be directed to attend any upcoming Ontario Municipal Board proceedings in support of the recommendations outlined in the report.

**BACKGROUND:**

A public meeting was held by the Planning and Development Committee on October 15, 2007, at which time a Planning and Building Department Information Report (Appendix S-1) was presented and received for information.

At the public meeting, the Planning and Development Committee passed Recommendation PDC-0075-2007 which was subsequently adopted by Council and is attached as Appendix S-2.

See Appendix S-1 - Information Report prepared by the Planning and Building Department.

**COMMENTS:****UPDATED AGENCY AND CITY DEPARTMENT  
COMMENTS****City Transportation and Works Department**

In comments updated November 7, 2007, this Department indicated that they are satisfied with the Traffic Impact Study and associated update submitted in support of these development applications which concludes that the proposed traffic volumes generated can be accommodated by the existing transportation infrastructure.

As of the writing of this report, reliance letters in support of the submitted Phase I and Phase II Environmental Site Assessments (ESA) and an updated Acoustical Report previously requested by this Department prior to the preparation of the Supplementary Report, have not been addressed by the owner. Furthermore, the current proposal's conflict with the existing easement remains unresolved.

In the event that these applications are approved by Council, reliance letters in support of the submitted Phase I and Phase II Environmental Site Assessments (ESA) and the updated Acoustical Report must be addressed by the owner to the satisfaction of the Transportation and Works Department.

The owner will also be required to provide a Final Site Clean-Up Report and a Record of Site Condition (RSC), as remediation is required to meet the appropriate Ministry of Environment (MOE) criteria. In addition, securities are to be provided to ensure the satisfactory installation of air conditioning units and a cash contribution will be required toward 50% of the cost of reconstructing Deta Road to a paved, curb and gutter cross section, across the frontage of these lands.

Further, it is the understanding of this Department that this proposal will be developed as a standard condominium. Should any other form of tenure be contemplated, it will be necessary to



revise the Departmental comments. However, the owner has not confirmed to this Department what tenure is proposed for the development.

## **COMMUNITY ISSUES**

Area residents and other stakeholders have become engaged in the development of the subject lands through the Community Meeting hosted by Ward 1 Councillor, Carmen Corbasson and the statutory Public Meeting of the Planning and Development Committee held on October 15, 2007.

At these meetings, and in numerous letters, phone calls, emails and petitions received by the Planning and Building Department, area residents have expressed their views on the applicant's proposal and its potential impact on the Lakeview community. The correspondence received can be grouped into similar key areas of concern. While not direct quotes, the italicized statements that follow are succinct summaries of comments made by the public. Staff have used these core issues to structure the Planning Comments section of this report which follows.

## **PLANNING COMMENTS**

### **Current Provincial policy planning framework**

*'The developer should restrict their project to the scale contemplated by the existing policy framework.'*

### **The Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe**

Smart growth must be strategic in maximizing redevelopment densities only at locations where buildings can be designed to minimize negative impacts to be compatible with the established character of the neighbourhood and fulfill the hierarchy of established City structure. Smart growth does not mean unlimited intensification without regard to context. To this end, the Growth Plan has identified a number of locations and strategies to accommodate intensification while providing opportunities to maintain established City structure and organization.

The Growth Plan has identified where urban municipalities like Mississauga shall focus intensification. In hierarchical order, the Growth Plan calls for intensification in Urban Growth Centres, Major Transit Station Areas (MTSA) and along Intensification Corridors.

Mississauga's Urban Growth Centre has been identified as the City Centre area and portions of the Hurontario Street corridor north of the QEW. This area is to serve as a focal area for investment in institutional and region-wide public services, as well as commercial, recreational, cultural and entertainment uses which shall accommodate high levels of employment and residential intensification. The Growth Plan speaks to very specific minimum density levels for both residential and employment uses in Urban Growth Centres.

The Growth Plan further calls for increased residential and employment densities in MTSAs, those lands located within a 500 m (1,640 ft.) radius of higher order transit stations, which equates to about a 10 minute walk. According to the applicant's planning justification report, the lands are located approximately 720 m (2,362 ft.) from the Long Branch GO Station, an observed walking distance of approximately 13 minutes.

Lastly, the Growth Plan calls for intensification along Intensification Corridors. These corridors are best described as those areas along major roads, arterials or higher order transit corridors that have the potential to provide a focus for higher density mixed-use development consistent with planned service levels.

Lakeshore Road East is an arterial roadway, presently supporting several transit routes and is a mixed-use area. Lakeshore Road East clearly meets criteria described in the Growth Plan to be identified as an Intensification Corridor. Similar in structure to Mississauga Plan, the Growth Plan has earmarked major road corridors, particularly those which are well served by transit, as warranting intensification, but to a degree which is less than other areas which serve a City or community wide function, such as the City Centre and Nodal Areas.

That being said, the Growth Plan calls for the development of healthy, safe and balanced communities which are vibrant, mixed use and transit supportive. To achieve these objectives, consideration of new development applications must not just focus on residential densities, but on more broad community issues such as the retention/intensification of employment lands and commercial uses and the availability and proximity of these services to the residential core.

Accordingly, the appropriate development of these lands must recognize the historic use of a portion of the lands for commercial/employment purposes and the void of retail and service commercial facilities in the immediate vicinity to serve the needs of the existing and expanded residential community.

Healthy, livable and vibrant communities are not achieved by considering the development of individual properties in the absence of contextual land use matters, community and City structure. Consideration of employment densities, commercial facilities, community services and transit must also be addressed. It can be concluded that the subject lands do warrant some degree of residential intensification, given the lands proximity to the MTSA associated with the Long Branch GO Station and the Lakeshore Road Intensification Corridor. Such residential intensification cannot be at the expense of the historic land use patterns, the planned use of the lands for commercial purposes and the planned City structure calling for the highest and most dense development within the City Centre and identified Nodes. The proposed development must be scaled back to be more consistent with the existing established area and planned vision for the area in terms of building height, mass, density, to accommodate appropriate built form transitions and to recognize established City form and structure.

**What defines the existing established character of the Area?**

*'The proposed height and density are similar to those found in the City Centre and will negatively impact the existing established character of the area, influence future visioning exercises and set a precedent for redevelopment in the area.'*

Residents have expressed concerns that the proposed development is not consistent with the existing established character of the area. To respond appropriately a more accurate understanding of the community character is required.

### Elements of Existing Character

The Lakeview District is structured with a traditional compact grid of streets off of the major arterial roads in the area. The community is bounded by fixed elements, with Lake Ontario to the south and Queensway East to the north. Most of the residential lands are separated from employment lands by the Lakeshore Road East mainstreet commercial spine.

Historically, higher density residential development has occurred along the Lakeshore Road East spine in two storey, mixed-use buildings, later through more urban mid-rise apartment buildings. The following sets out some pertinent statistics for higher density residential development in the Lakeview District.

### Residential High Density Statistics

- **Lakeview is predominately developed with ground based units.** Less than 27% of Lakeview residents live in apartment dwellings.
- **Most of the existing apartment buildings in Lakeview are located along the Lakeshore Road corridor.** There are 34 apartment buildings in the Lakeview District, 27 of which are located along the Lakeshore Road corridor.
- **The proposed development represents a significant departure from the existing apartment built form located within the Lakeshore Road East corridor.** Of the 27 existing apartment buildings located within the Lakeshore Road East corridor, 20 buildings are 10 storeys or less and only two buildings are 20 storeys in height.
- **The proposed development significantly exceeds the Floor Space Index (FSI) of other apartment buildings along the Lakeshore Road East corridor.** The average and highest FSI present along the Lakeshore Road East corridor are approximately 1.28 and 2.14, respectively; whereas the

proposed FSI is 3.9, 67% greater than the average and 45% greater than the highest existing FSI.

- **The density of the proposed development significantly exceeds the highest densities present along the Lakeshore Road East corridor.** At 493 units per net residential hectare (200 upa), the proposed development has a density which is 71 % greater than the 141 units per net residential hectare (57 upa) average density for apartment dwellings along the Lakeshore Road East corridor and 57% greater than the next highest density of 209 units per net residential hectare (85 upa).

These statistics demonstrate that Lakeview's character includes a range of housing types, including ground based and apartment dwellings. The greatest percentage of Lakeview residents live in ground based units; of those who reside in apartment buildings they are typically of a low to mid-rise form generally within the FSI range established by the existing Residential High Density I and II designations of the Lakeview District Policies of Mississauga Plan.

Only the two buildings located at 1535 and 1515 Lakeshore Road East, which are located to the east of the subject lands are of a height that is similar to the proposed development, as expressed in terms of storeys. However, these two examples are contextually very different than the majority of the buildings in the area in that they are located on a large parcel of land of about 3.58 ha (8.8 ac.), which affords an opportunity for significant landscape treatment and distance separation from sensitive land uses and from Lakeshore Road East.

The apartment buildings present within the Lakeshore Road East corridor can generally be grouped into two categories, as demonstrated by the buildings at 1535 and 1515 Lakeshore Road East, those built in Le Corbusier's style of towers in the park and main street urban, with lower building heights and higher lot coverage. While the built form differs in these two categories of development, in terms of FSI, the buildings located within this corridor generally fall in the FSI range of 1.1 to 1.8 as prescribed by the Lakeview District Residential High Density II designation.

The proposed apartment building with a height of 21 storeys, a FSI of 3.9 and density of 493 units per net residential hectare (200 upa) is taller, with a greater FSI and higher density than any other development in the Lakeview District. The height and density being proposed are unseen in this district and are more in keeping with those found in the City Centre or higher density nodes such as Port Credit.

**What is the right built form and transition?**

*'The proposed building is too high, does not transition to the existing detached dwellings to the north, other abutting properties and Lakeshore Road East appropriately and will block view corridors to the lake for existing buildings to the north and east.'*

As previously mentioned, smart growth does not mean unlimited intensification, without regard to context. The location of the subject lands on Lakeshore Road East, an arterial road, and in proximity to the Long Branch GO Station meets provincial and local policy criteria for some form of intensification. However, the lands proximity to detached dwellings to the north and as part of a Mainstreet Commercial environment along Lakeshore Road East, which is predominately made up of 2 storey buildings, warrants significant regard for contextually appropriate intensification. To this end, an evaluation of the subject proposal must consider the individual aspects of built form transition, including: the single detached dwellings and Orchard Hill Park to the north and northwest; the apartment buildings located to the northeast; and the commercial uses on the Lakeshore Road East corridor. In addition, any proposed development on the subject lands must demonstrate an appropriate downward transition in built form from the Long Branch GO Station to the east.

**Transition to northerly abutting detached dwellings and Orchard Hill Park**

The subject lands abut an existing established residential neighbourhood consisting of 69 detached dwellings to the north and northwest. This enclave of homes dates from the early 1940's and is made up of modest sized one and two storey homes on

generous lots, with typical frontages of approximately 15.0 m (49.2 ft.), and lot depths in excess of 40.0 m (131.2 ft.).

The subject lands include two parcels of land, that are designated "Residential Low Density I" and that previously contained detached dwellings similar to those found within this residential enclave. These homes were demolished by the proponent in order to increase the land area for the proposed development, as well as to accommodate the proposed transitional back-to-back row dwellings.

The proposed row dwellings do not serve the intended transitional purpose well in that they do not achieve the gradual height transition from the façade component of the apartment building to the detached dwellings to the north. In addition, the row dwellings do not provide a visual break or alleviate overlook from the taller apartment building. Further, the use of row dwellings, introduces a new built form into the area, which is not consistent in form or character with the existing established area.

Instead a more sensitive transition incorporating a lower built form on the proposed podium component of the apartment building and an increased spatial separation utilized for extensive landscape planting would be more effective, in addition to an overall reduction in the height of the tower component. Such a treatment would also prevent the encroachment of a dissimilar built form into this established neighbourhood. This treatment would improve the transition of development on these lands to the abutting Orchard Hill Park.

#### Transition to existing apartment developments

The subject lands are the fourth parcel west of the border between the Cities of Mississauga and Toronto. The first parcel contains two apartment buildings with municipal addresses of 1535 and 1515 Lakeshore Road East. These apartment buildings are both 20 storeys in height, have a combined FSI of 1.5 and a combined density of 53 units per net residential hectare (21.5 upa). This parcel is the closest land in the City of Mississauga to the Long Branch GO Station. Abutting this parcel to the west, is a 12 storey apartment building with a FSI of 1.27 and density of 115 units per

net residential hectare (46.6 upa), municipally known as 1285 Lakeshore Road East. Between 1285 Lakeshore Road East and the subject lands is a single storey manual, time pay car wash. Portions of these three parcels fall within 500 m (1,640 ft.) of the Long Branch GO Station.

In addition to concerns with the maintenance of the existing character of the area in terms of height, mass, coverage, setbacks and privacy, the proposed development fails to maintain the downward trend that has been established from 1535/1515 Lakeshore Road East to 1485 Lakeshore Road East. This downward trend should be continued with the proposed redevelopment of the subject lands. Significant reductions in height and FSI would be required to achieve this transition and to address concerns pertaining to character.

#### Lakeshore Road East

The north side of Lakeshore Road East has been identified in the Lakeview District Policies and Land Use Plan as predominately a mainstreet commercial corridor. Built form heights of 2 to 3 storeys are articulated by the Lakeshore Road Design Concept.

The built form transition established with the existing apartment buildings, located closer to the Long Branch GO Station, east of the subject lands should continue westerly to ultimately blend into the established built form and vision for the district established further to the west.

The principles of appropriate transition referenced in the above sections reinforce those included in the Growth Plan, and within Mississauga Plan for providing intensification at or in proximity to higher order transition stations and along intensification corridors, such as Lakeshore Road East, while having regard for established built forms to the north and west of the site. The location of the subject lands, which lie outside of the 500 m (1,640 ft.) radius of the Long Branch GO Station, have a significant function to perform to support the transitioning from the height and densities established within the prescribed radius, to the lower densities and building heights further west, to achieve appropriate building heights along Lakeshore Road East. The Interim Residential



Intensification policies presently set the height along this corridor at 4 storeys.

#### View Corridors

The proposed building is approximately 138 m (452 ft.) south of the 12 storey building located at 1485 Lakeshore Road East. The distance separation, orientation of the existing building relative to the lake and relatively slender profile of the proposed building would all contribute to a minor impact on existing sight lines presently enjoyed by the residents of 1485 Lakeshore Road East. Similarly, there is not expected to be a negative impact on the existing view corridors for the buildings at 1515 and 1535 Lakeshore Road East.

#### **Will the proposed development provide an appropriate streetscape condition along the Lakeshore Road East frontage?**

*'The proposed setbacks and ground level street condition will not foster a pedestrian friendly streetscape condition that is vital to healthy and sustainable communities.'*

The proposed streetscape condition along Lakeshore Road East, with a 1.5 m (4.9 ft.) protrusion of the underground parking structure right at the front lot line will not foster a desirable pedestrian environment. The wall may cause an increase in noise level due to the reflection of traffic noise off the wall. The blank façade will not animate the street edge and will minimize opportunities for eyes on the street.

A 0.3 m (1 ft.) setback, as proposed, is only acceptable where the floor elevation of the structure is level with the public sidewalk, or addressed in a different fashion, and commercial uses are employed. Any development of these lands should give consideration to ground level commercial uses, along with a more appropriate interface of the built form to the existing public sidewalk. Although a less desirable condition, a residential ground floor along with the underground parking structure should be set back at least 4.5 m (14.8 ft.) from the right-of-way to permit appropriate room for landscape planting, to ensure a safe and comfortable pedestrian environment and acceptable levels of

privacy for ground level occupants of the building. Additional discussion of the Lakeshore Road East streetscape condition is provided in the Zoning section of this report.

**Will the proposed development result in negative impact on adjacent properties as a result of sun shadow effect and overlook?**

*'The proposed development will negatively impact adjacent residential lands in regard to sun shadow and overlook.'*

The applicant has submitted an Urban Design and Streetscape Analysis Report, including sun shadow diagrams, which demonstrate that the northerly abutting residential lands and portions of Orchard Hill Park will be in shadow during the mornings at all times of the year, with the greatest number of properties being more heavily impacted during the fall and winter months. The shadow impacts would be minimized with reductions in height of the façade and tower components of the development and the elimination of the row dwellings.

The rear yard amenity areas associated with dwellings located on the east side of Deta Road will be negatively impacted by overlook. The proposed development does not appropriately accommodate the impact of overlook and the proposed row dwellings fail to achieve any degree of mitigation to this condition. A reduction in building height of the façade and tower components of the development in addition to extensive planting along the north property line would minimize the impact of overlook on the existing community.

**How do the subject lands differ from other lands located along the Lakeshore Road East corridor ?**

*'The proposed applications are premature and will set a precedent for future redevelopment along Lakeshore Road East.'*

There is nothing distinctive about the subject lands that distinguish them from other properties located along the north side of Lakeshore Road East, specifically in regard to proximity to sensitive built forms or to amenities such as parkland, commercial,

community and institutional uses. As such, approval of the proposed development would result in a significant shift in the application of policies to a degree in which the bulk of the Lakeshore Road East corridor could redevelop with similar densities and heights under the current policy regime. Such development is a significant departure from the existing character and vision for the community as established by the Lakeview District Policies of Mississauga Plan.

#### Lakeview District Policies Review and Growth Management Strategy

The City is presently in the midst of two separate studies that could affect the way in which applications for residential intensification are evaluated in the Lakeview District, particularly along the Lakeshore Road East corridor.

In response to the Growth Plan, a Growth Management Strategy is presently being developed. The expected result of this process is to evaluate appropriate forms and locations for intensification throughout the City. Residential intensification and local District policies are expected to be refined to implement the findings of this review.

The Lakeview District Policy Review is also presently underway as a 5 year review of the land use policies that will also consider recent provincial initiatives at a local level.

From a review of the applicable policy documents, it is clear that the proposed height and density are not consistent with and go well beyond the current policy environment and planned vision for the Lakeview District. However, in light of the current policy reviews that are presently underway, it would be premature to make specific alternate recommendations for Council consideration.

#### How does the proposal meet the objectives of Mississauga Plan?

*'The proposal is not consistent with the City's Official Plan.*

The proposal does not achieve the overall intent and policies of Mississauga Plan. The following policies are relevant in determining that the proposed development does not achieve the direction established in Mississauga Plan.

#### Intensification Policies

The Housing Goals and Objectives section of Mississauga Plan calls for compatible residential intensification, as in the provision of housing that fully implements the intent of Provincial Government housing policies.

Subsection 3.2.3.8 of Mississauga Plan is more specific in stating that residential intensification is encouraged subject to: adequate engineering and community services; compatibility with surrounding land uses; 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.

Subsection 3.2.3.2 states that high quality and innovative residential design will be promoted in a form which reinforces and enhances the local community character, respects its immediate context and creates a quality living environment....Design issues related to built form, scale, massing, orientation, parking, overshadowing, and the quantity and quality of open space will be priorities in assessing the merits of residential development.

These items are addressed in separate sections of this report that speak to the proposal's lack of consideration for compatibility and character through such matters as building height, coverage, mass, setbacks and privacy/overlook.

#### Interim Residential Intensification Policies

The Interim Residential Intensification Policies are a direct response to recent provincial changes in the planning environment and provide direction on Council's desire to deal with intensification in the post Growth Plan policy environment.

As previously noted, work is presently underway on a Growth Management Strategy which will result in refinements to the interim policies put in place last October. In advance of the outcome of these evaluations, proposals which are fundamentally in conflict with the interim policies shall be deemed premature. Considerations of heights and densities above those presently contemplated in the current Mississauga Plan policies would best be addressed in a post strategy policy environment.

#### Residential Land Use Policies

Subsection 3.2.2.1.a indicates that these policies provide the principles and framework on which residential densities will be based in District Policies. Density categories as defined by built form and density range for each District will be determined by consideration of community character and scale specific to each District.

#### Urban Design Policies

Section 3.15 of Mississauga Plan contains a number of urban design policies, which are intended to address the following:

- establishing a hierarchy wherein the most prominent and intensive built form is located in the City Centre and Nodes;
- ensuring compatible building and site design;
- maintaining the existing character of areas;
- minimizing overlook and shadow conditions;
- creating a sense of identity through building and streetscape design with the use of landscape treatments to connect buildings to the street, and;
- encouraging the use of safe, comfortable and attractive streetscape environment for pedestrians.

The proposed development fails to appropriately address the above noted policies in matters of building and site compatibility, enhancing community character, recognizing and reinforcing the established City structure and site context and by contributing to an appropriate pedestrian environment.

### Lakeview District Policies

Section 4.17.2, Development Concept states in part that the Lakeview District is generally a stable, established area with few sites remaining to be developed. The focus of these policies is to preserve and enhance the character of the existing development and transportation system. Infill and redevelopment will be facilitated/encouraged in a manner consistent with existing land uses in the surrounding area.

The proposed development does not achieve the objectives outlined in the Development Concept in that the established character along Lakeshore Road East is that of a mainstreet commercial area, typically with mixed-use buildings of 2 or 3 storeys. Apartment development also exists along this corridor, but the form and massing, individual elements which contribute to character, are significantly less than that proposed.

It should also be recognized that there are emerging pressures for redevelopment throughout the Lakeview District which will be addressed through the Lakeview District Policies Review, which is presently underway.

The District Policies set out specific FSI ranges for lands designated Residential High Density I and II. The Residential High Density I designation permits apartment dwellings at a FSI of 0.5 to 1.0 and the Residential High Density II designation permits apartment dwellings at a FSI of 1.1 to 1.8. In comparison, the proposal is to develop the subject lands with a FSI of 3.9; more than twice the stated upper end limit of the Residential High Density II designation.

### Criteria for Site Specific Official Plan Amendments

Mississauga Plan policies require that matters such as the suitability of development, compatibility with existing and future land uses, and the adequacy of infrastructure and services, are taken into account when evaluating a development proposal. While matters such as market demand, and other trends that tend to dictate short-term objectives, it remains important to consider

long-term planned function of a community to ensure the fulfillment of intended planning goals and objectives.

All applications for site specific amendment to Mississauga Plan shall comply with the provisions of Section 5.3.2.1 as outlined in the Information Report.

The proposed redesignation of the lands to "Residential High Density II-Special Site" to permit the proposed development including a FSI of 3.9 would adversely impact the ability of the City to achieve the overall intent, goals, objectives and policies of Mississauga Plan, specifically in regard to maintaining the existing character of the Lakeshore Road East corridor, and adjacent residential communities in the Lakeview District. Introducing a high rise apartment building which is without peer in regard to height, density and FSI in the area will compromise the "Mainstreet Commercial" planned function and long term vision of the area. In addition, the proposed development represents a piecemeal approach to the redevelopment of lands along the Lakeshore Road East corridor in the Lakeview Planning District.

As previously indicated, there are no special characteristics that set these lands aside from others located along the north side of Lakeshore Road East in regard to their appropriateness for high density residential development. Accordingly, to permit the proposed development would open the door for redevelopment of a similar scope and scale along this entire corridor. Given that a 5 year review of the Lakeview District Policies is underway, such a departure from the established policy framework is inappropriate and premature.

Further, the proposal does not support the general goals and objectives of Mississauga Plan in calling for redevelopment which address the scope and character of existing areas by having regard for such matters as building height, coverage, mass, setback, privacy and overlook. Nor does it meet the urban design goals and objectives requiring new developments to respect streetscape in building design, placement, scale and form.

The planning rationale provided by the applicant's consultant fails to assess the proposed amendments in relation to the existing

designation of the lands, thereby neglecting to address the merits of retaining some commercial uses in the general area.

The proposed development in its current form is not compatible with the existing and future uses of the surrounding lands and does not support the redevelopment of these lands in accordance with their planned function.

In view of the preceding, the proposed development fails to comply with the provisions for evaluating site specific Official Plan Amendments in accordance with the provisions of Section 5.3.2.1 of Mississauga Plan.

**What about traffic and parking?**

*'This development will generate too much traffic in an area that is already too congested. The proposed driveway location on Deta Road will cause too much traffic to infiltrate into the local road network. Parking will also be a problem.'*

The Transportation and Works Department have reviewed the provided Traffic Impact Study and associated update submitted in support of the proposed development and is satisfied that the traffic volumes generated by the proposal can be accommodated by the existing transportation infrastructure. On-site parking is proposed in accordance with minimum By-law standards, including the provision of visitor parking spaces. Accordingly, on-street parking is not expected to increase to a level in which it will pose significant functional problems on the local road network.

**Are the lands large enough to appropriately accommodate the proposed development?**

*'Too much development is being proposed for such a small parcel of land.'*

The proposed underground parking structure is located too close to the exterior property boundaries to appropriately accommodate tree preservation efforts on abutting lands. The underground parking structure is located only 0.3 m (1 ft.) from each property boundary, at the closest point.



To ensure that tree preservation efforts on abutting lands are successful and to provide adequate space around the perimeter of the site to accommodate tree planting which will not be impacted by future maintenance of the underground parking structure, a setback of at least 4.5 m (14.8 ft.) is required from all property boundaries to the underground parking structure. It will not be possible to provide the required parking in three levels of underground parking as currently proposed, if the underground structure is reduced in size to accommodate appropriate setbacks and landscape planting areas. The subject lands are, therefore, too small to accommodate the proposed development.

Additional discussion of setbacks and the streetscape condition is provided within the Zoning section of this report.

**Is there available infrastructure?**

*'Is there enough infrastructure capacity to support this proposal?'*

Both the City's Transportation and Works Department and the Region of Peel have confirmed that there is sufficient water main, sanitary and storm sewer capacity to serve the proposed development.

**Why are units being sold prior to a Council and Ontario Municipal Board decision?**

*'The City should have prevented the marketing and pre-selling of units, as the project has not received the appropriate approvals.'*

The City is not legally able to prevent an applicant from advertising or pre-selling units related to a condominium proposal before Council has made a decision. Notwithstanding the above, on September 26, 2007, the Planning and Building Department sent a letter to the applicant advising of its concerns with the sale of units before any decision on the applications had been made.

**Zoning**

The applicant has proposed an "RM7D5-Special Section" (Residential Multiple Family) zoning for the subject lands which

includes a Schedule "I" reflective of the concept site plan attached to the Information Report.

Significant concerns remain pertaining to the Schedule "I" provisions for setback to the underground parking structure and row dwellings to the north property line. Specifically, the underground parking structure, as proposed, would project 1.5 m (4.9 ft.) above ground along the Lakeshore Road East frontage, and run only 0.3 m (1 ft.) inside the property line, at its closest point. This condition will result in an unacceptable streetscape condition. The lack of an appropriate setback will not foster a safe and comfortable pedestrian environment and will pose problems from a tree preservation perspective.

The underground parking structure should be located at least 4.5 m (14.8 ft.) from all property lines. Such a setback will ensure that more extensive landscape buffer plantings can be located along the property lines and such plantings will not be subject to removal during routine maintenance of the underground parking structure. Further, encroachments onto abutting properties during construction and future maintenance can be avoided with an increased setback.

The back-to-back row dwellings are proposed with a 2.0 m (6.6 ft.) side yard abutting the detached dwelling to the north, located at 1023 Deta Road. The increased building height and massing of this structure warrants an increased setback to maintain a consistent streetscape condition and spacing between structures on Deta Road. Consideration should also be given to the elimination of these units in conjunction with other measures previously described, to achieve a better transition to the northerly abutting lands.

#### New Mississauga Zoning By-law 0225-2007

As noted in the Information Report, attached as Appendix S-1, the applicant has submitted a motion to the Ontario Municipal Board (OMB) requesting that the lands continue to be subject to Zoning By-law 5500, as amended. As of the date of preparation of this report the OMB has not yet considered the motion filed by the applicant. Further OMB proceedings to consider outstanding

appeals and motions are scheduled to commence on January 21, 2008. The applicant's motion is expected to be considered at this time.

### **Technical Items**

#### Existing Easement

The proposed development conflicts with a mutual access easement which exists between 1451 and 1459 Lakeshore Road East. The applicant has advised that they are seeking to remove the easement through court proceedings, but have not yet advised of the outcome of this process. This easement is an impediment to the development as currently proposed.

#### Environmental Issues

Although the applicant has provided Phase I and II Environmental Site Assessments, the required Letter's of Reliance, Final Clean-up Report and Record of Site Condition have not yet been provided. Any amendments cannot be implemented until such time as these matters are resolved.

#### Tree Preservation

The Community Services Department noted in comments provided for the Information Report that the subject applications about Orchard Hill Park along the north property boundary. Further information pertaining to grading and vegetation was requested to justify the setbacks of the underground structure to the existing park. The Planning and Building Department has requested similar information for all property boundaries to determine the impact of development on abutting lands. This information has not been provided to date. Additional grading and tree preservation plans, including supporting reports, are required to better assess the impact of the proposed development and determine appropriate building setbacks.

The above noted matters must be resolved prior to the implementation of any amendments approved by Council or the Ontario Municipal Board.

**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:** Provincial policies, namely the Growth Plan encourage compact urban form and intensification as fundamental components of developing and redeveloping complete communities. Residential intensification is only one component of a complex matrix of principles and initiatives that must be adopted to achieve viable, health, livable and complete communities.

Being located within 720 m (2,362 ft.) of the Long Branch GO Station and on Lakeshore Road East, a major arterial roadway which is well served by public transit, the subject lands warrant some level of residential intensification. Such intensification cannot come at the expense of other principles of proper planning and ultimately those principles of complete communities.

Complete communities shall meet people's daily living needs by providing convenient access to an appropriate mix of jobs, local services, and a full range of schools, recreation and open space for their residents. The proposed development has only considered one aspect of provincial policies, residential intensification, at the expense of greater community considerations. A comprehensive approach to redevelopment is necessary and the applicant in their submission has not addressed these matters.

The proposed Official Plan Amendment and Rezoning applications cannot be supported from a planning standpoint and should not be approved for the following reasons:

1. The subject applications do not have full regard for the Growth Plan for the Greater Golden Horseshoe in achieving healthy, vibrant, livable and complete communities, nor do they contribute toward the achievement of the overall intent, goals, objectives and policies of Mississauga Plan.
2. The proposed built form is not consistent and compatible with the existing Mainstreet Commercial planned vision for the Lakeshore Road East corridor. Further, there has not been

appropriate consideration of the impact of the proposed development on the sensitive land uses to the north and northwest.

3. The site is too small to accommodate the proposed development and does not achieve an appropriate built form transition, without encroaching and negatively impacting the existing stable residential community.
4. The proposed development is considered premature on the basis that the proposed height, FSI and density are without precedent in the Lakeview District, as this degree of intensification is not contemplated in either Mississauga Plan nor the current Lakeview District Policies, and furthermore policy evaluations are presently underway pertaining to the Lakeview District Policies Review and a Growth Management Strategy for the City.
5. Outstanding technical concerns have not been addressed as of the date of preparation of this report.

**ATTACHMENTS:**

Appendix S-1 - Information Report

Appendix S-2 - Recommendation PDC-0075-2007

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Edward R. Sajecki  
Commissioner of Planning and Building

*Prepared By: John Hardcastle, Development Planner*



# Corporate Report

Clerk's Files

Originator's  
Files OZ 06/003 W1**PDC OCT 15 2007**

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**DATE:** September 25, 2007

**TO:** Chair and Members of Planning and Development Committee  
Meeting Date: October 15, 2007

**FROM:** Edward R. Sajecki  
Commissioner of Planning and Building

**SUBJECT:** **Information Report**  
**Official Plan Amendment and Rezoning Applications**  
**To permit a 21 storey, 260 unit condominium apartment**  
**building and 6 back-to-back row dwellings**  
**1439, 1451 Lakeshore Road East and 1013, 1017 Deta Road**  
**Northeast corner of Lakeshore Road East and Deta Road**  
**Owner: Queenscorp (Lakeshore) Inc.**  
**Applicant: John D. Rogers and Associates Inc.**  
**Bill 20**

**Public Meeting** **Ward 1**

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**RECOMMENDATION:** That the Report dated September 25, 2007, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Residential Low Density I" and "Motor Vehicle Commercial" to "Residential High Density II - Special Site" and to change the Zoning from "R4" (Residential Detached) and "AC" (Automotive Commercial) to "RM7D5-Special Section" (Residential Multiple Family) to permit a 21 storey, 260 unit condominium apartment building and 6 back-to-back row dwellings under file OZ 06/003 W1, Queenscorp (Lakeshore) Inc., 1439, 1451 Lakeshore Road East and 1013, 1017 Deta Road, be received for information.

**BACKGROUND:**

The above-noted applications have been circulated for technical comments and a community meeting has been held.

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

The subject applications were amended by Queenscorp (Lakeshore) Inc. in a letter dated April 19, 2007. The substantive changes include an increase in the total number of units to 266 (260 apartment dwellings and 6 back-to-back row dwellings), up from 245 (235 apartment dwellings and 10 back-to-back row dwellings) as originally proposed and the elimination of live/work units from the 6 storey façade component of the apartment building.

In a letter dated August 8, 2007, the subject applications were appealed to the Ontario Municipal Board by Queenscorp (Lakeshore) Inc. on the basis that the approval authority did not render a decision within the timeframe prescribed under the *Planning Act*. A hearing date has not yet been scheduled.

**COMMENTS:**

Details of the proposal are as follows:

<b>Development Proposal</b>	
Applications submitted: Revised:	February 24, 2006 and considered complete on March 27, 2006 April 19, 2007
Height:	21 storey condominium apartment building with a 6 storey façade and 6 back-to-back row dwellings, 3 storeys in height
Lot Coverage:	35%
Floor Space Index:	3.9
Landscaped Area:	43% of the lot area
Net Density:	493 units/ha (200 units/acre)
Gross Floor Area:	21 160 m <sup>2</sup> (227,772 sq. ft.)

<b>Development Proposal</b>	
Number of units:	266
Anticipated Population:	614* *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:	414
Parking Provided:	422 (9 surface and 413 underground spaces)
Supporting Documents:	Planning Justification Report; Phase I and Phase II Environmental Assessments; Traffic Impact Study; Noise Control Feasibility Study; Functional Servicing Report; Vegetation Analysis Plan; Shadow Study; and, Urban Design and Streetscape Analysis

<b>Site Characteristics</b>	
Frontage:	79.36 m (260 ft.) - Lakeshore Road East
Depth:	60.93 m (200 ft.) – Deta Road
Net Lot Area:	0.54 ha (1.33 ac.)
Existing Use:	Vacant – Previously utilized for detached dwellings and motor vehicle commercial uses

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

### **Neighbourhood Context**

The subject lands are located on the north side of Lakeshore Road East near the eastern fringe of the Lakeview Planning District. The southern portion of the subject lands is part of a linear commercial area which runs along Lakeshore Road East; whereas the northern portion of the lands that front onto Deta Road is an integral part of a residential neighbourhood, comprised of detached dwellings to the north and northwest. There are three apartment buildings



located to the northeast of the subject lands which range in height from 12 to 20 storeys.

The surrounding land uses are described as follows:

North: Detached dwellings and Orchard Hill Community Park

East: Manual car wash

South: Across Lakeshore Road East, future City Park (not yet named) on the former Arsenal lands

West: Across Deta Road, gas bar and detached dwellings

### **Current Mississauga Plan Designation and Policies for Lakeview Planning District (May 5, 2003)**

**"Motor Vehicle Commercial"** which permits only gas bars and service stations; motor vehicle washes; establishments for minor motor vehicle repairs; and commercial uses of a convenience nature, including an accessory take-out restaurant which may include a drive through facility, in conjunction with other Motor Vehicle Commercial uses.

**"Residential Low Density I"** which permits detached, semi-detached and duplex dwellings to a maximum density of 17 units per net residential hectare (6.9 units per net residential acre).

The applications are not in conformity with the existing land use designations.

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

### **Urban Design Policies**

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 3.18.2.4 – 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.

Section 4.17.3.1 – The scale and character of all building and landscape designs will take into consideration the guidelines established in the Lakeshore Road Design Concept.

The Lakeshore Road Design Concept encourages the reduction in the automobile-oriented character and the development of an attractive pedestrian environment along Lakeshore Road East by accommodating mixed use development, two storey building heights and well defined pedestrian walkways along Lakeshore Road East.

### **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.

The applicant has provided a Planning Justification 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 *Planning Act* and the Provincial Policy Statement (PPS)**

In 2004 and again on January 1, 2007, the *Planning Act* was changed to require municipal councils and the OMB to make decisions that shall be consistent with policy statements that are in effect on the date of the decision. This is a higher standard of compliance than was contained in previous iterations of the *Planning Act*, where decisions were to "have regard to" the PPS. Further, these changes require decisions to conform with the provincial plans (including the Growth Plan for the Greater Golden Horseshoe) that are in effect on the decision date.

The 2005 PPS contains several other 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**

On June 16, 2006, the Growth Plan came into effect, more than four months after the receipt of the applications. However, based upon the above noted changes to the *Planning Act*, the subject applications must conform with the Growth Plan for the Greater Golden Horseshoe.

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:

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, pedestrian-friendly 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 applicant has indicated that subject lands are located approximately 720 m (2,362 ft.) from the Longbranch GO Train

Station, outside of the above noted radius defining a Major Transit Station Area.

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

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 back-to-back row dwellings and apartments on the site and to permit the proposed development with a maximum Floor Space Index (FSI) of 3.9 which exceeds the maximum FSI range of 1.1 to 1.8 permitted under the Lakeview District "Residential High Density II" policies.

### **Existing Zoning (By-law 5500, as amended)**

**"R4" (Residential Detached)**, which permits detached dwellings with minimum lot frontages of 15 m (49.2 ft.) and **"AC" (Automotive Commercial)**, which permits an automobile service station, which may include a convenience service and retail kiosk.

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

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

**"RM7D5-Special Section" (Residential Multiple Family)**, to permit a 21 storey condominium apartment building having a maximum of 260 dwelling units and 6 back-to-back row dwelling units, 3 storeys in height, with a maximum FSI of 3.9 and a minimum open space of 42% of the lot area.

All zoning setbacks are proposed in accordance with the provisions of a Schedule 'I' as depicted on the applicant's concept plan shown as Appendix I-4.

### **By-law 0225-2007 (Under Motion to Appeal)**

The zoning for this property under By-law 0225-2007 is **"R3" (Detached Dwelling – Typical Lot)**, which permits detached dwellings with minimum lot frontages of 15 m (49.2 ft.) and **"C5" (Motor Vehicle Commercial)**, which permits a gas bar, motor vehicle service station, motor vehicle repair facility – restricted and motor vehicle wash facility – restricted.

Ontario Municipal Board (OMB) Decision/Order 2452, dated September 10, 2007 approved Zoning By-law 0225-2007, with the exception of individual sites which are the subject of active appeals and motions to the new By-law. Although Queenscorp (Lakeshore) Inc. did not appeal By-law 0225-2007 within the prescribed timeframe, a motion was presented to the Board prior to the September 10, 2007 proceedings by legal counsel representing Queenscorp (Lakeshore) Inc. requesting party status at future OMB proceedings. Although the Board did not render a decision specifically pertaining to this motion, the Board did order that the zoning of the subject lands remain under By-law 5500, as amended, for the time being. Further OMB proceedings will commence on December 10, 2007, to in part consider the Queenscorp (Lakeshore) Inc. motion. Accordingly, the subject application will continue to be considered under By-law 5500, as amended, until such time as the Board has rendered a decision pertaining to the applicant's motion.

## COMMUNITY ISSUES

A community meeting was held by Ward 1, Councillor Carmen Corbasson on October 26, 2006, at which more than 80 people were present, including representatives of the Lakeview Ratepayers Association. 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 need for an appropriate built form transition from the proposed building to the low density residential to the north and northwest and to the commercial development east and west along Lakeshore Road East.
- the proposed density and height are similar to those in the City Centre and do not maintain the established character of the area.
- these applications will set an undesirable precedent along the Lakeshore Road East corridor within the Lakeview Planning District.
- too much development is being proposed for such a small parcel of land.
- the proposed apartment building does not provide an adequate setback to accommodate a comfortable pedestrian environment along Lakeshore Road East.
- the proposed development will cast unacceptable shadows onto the adjacent lands, including the detached dwellings and Orchard Hill Park to the north.
- the proposed development will exacerbate existing traffic delays turning left onto Lakeshore Road East from Deta Road, particularly during peak times.

- Deta Road, Orchard Hill Road and Cherriebell Road cannot accommodate the anticipated increases in traffic volume and parking while remaining safe.
- the proposed development will result in an unacceptable overlook condition for the existing detached dwellings to the north and northwest.
- the proposed development will negatively impact property values in the area.
- the proposed development will negatively impact sightlines of Lake Ontario for the existing apartment units at 1485, 1515 and 1535 Lakeshore Road East.
- the proposed development will result in increased noise levels during and after construction.
- the proposed development will impact the ability of adjacent lands along Lakeshore Road East to develop in accordance with their planned function due to increased restrictions for noise.
- The proposed development is not visually compatible with the existing detached dwellings to the north/northwest, the commercial uses along Lakeshore Road East and apartment buildings to the east/northeast.

## **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.

### **Impacts Associated with Height and Massing**

Planning staff have expressed concerns to the applicant about the proposed apartment building massing and height as they relate to the surrounding context. The applicant has been requested to



demonstrate how the proposed apartment building will not detract from the existing established character of the area. Of particular concern are the potential impacts to the abutting low density residential area, established motor vehicle commercial uses and the pedestrian environment surrounding the site, in particular the Lakeshore Road East frontage. The applicant has provided an urban design and streetscape study which is presently being reviewed by the Planning and Building Department.

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

The applicant must demonstrate how the proposed development is superior to the applicable Official Plan designations. The applicant is required to make specific reference to the criteria under Section 5.3.2 of Mississauga Plan which pertains to site specific official plan amendments.

### **Lakeview District Policies Review**

A review of the Lakeview District Policies has been initiated by the Planning and Building Department. The review area covers the entirety of the Planning District, with particular focus on the Lakeshore Road corridor area. The purpose of the review is to examine the existing land use policies/designations in the District and to update them to reflect changes in local circumstances and to be consistent with recent Provincial planning initiatives. This review will include 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 review at the time of the Supplementary Report for these applications.

### **Site Design and Interface with Adjacent Uses**

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

- appropriate building setbacks, including the underground parking structure;
- pedestrian and open space linkages;
- relationship of the buildings to the pedestrian environment, in particular along the Lakeshore Road East frontage;
- design and functioning of the loading, service, waste collection and surface parking areas;
- transition in built form from the abutting properties.

The applicant will be required to submit a site plan application in accordance with City requirements which indicates proposed grading information.

### **Ground Level Land Uses**

Queenscorp (Lakeshore) Inc. are not proposing any form of commercial uses within the ground level of the building at the street. The applicant is strongly encouraged to explore opportunities to provide commercial uses at grade along the Lakeshore Road East frontage, in particular given the proximity of the built form to the front property line.

### **OTHER INFORMATION**

#### **Development Requirements**

In conjunction with the proposed development, there are certain other engineering matters with respect to site access, storm drainage, 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:** All agency and City department comments have been received and after the public meeting has been held and the review of outstanding materials completed, the Planning and Building Department will be in a position to make a recommendation regarding these applications.

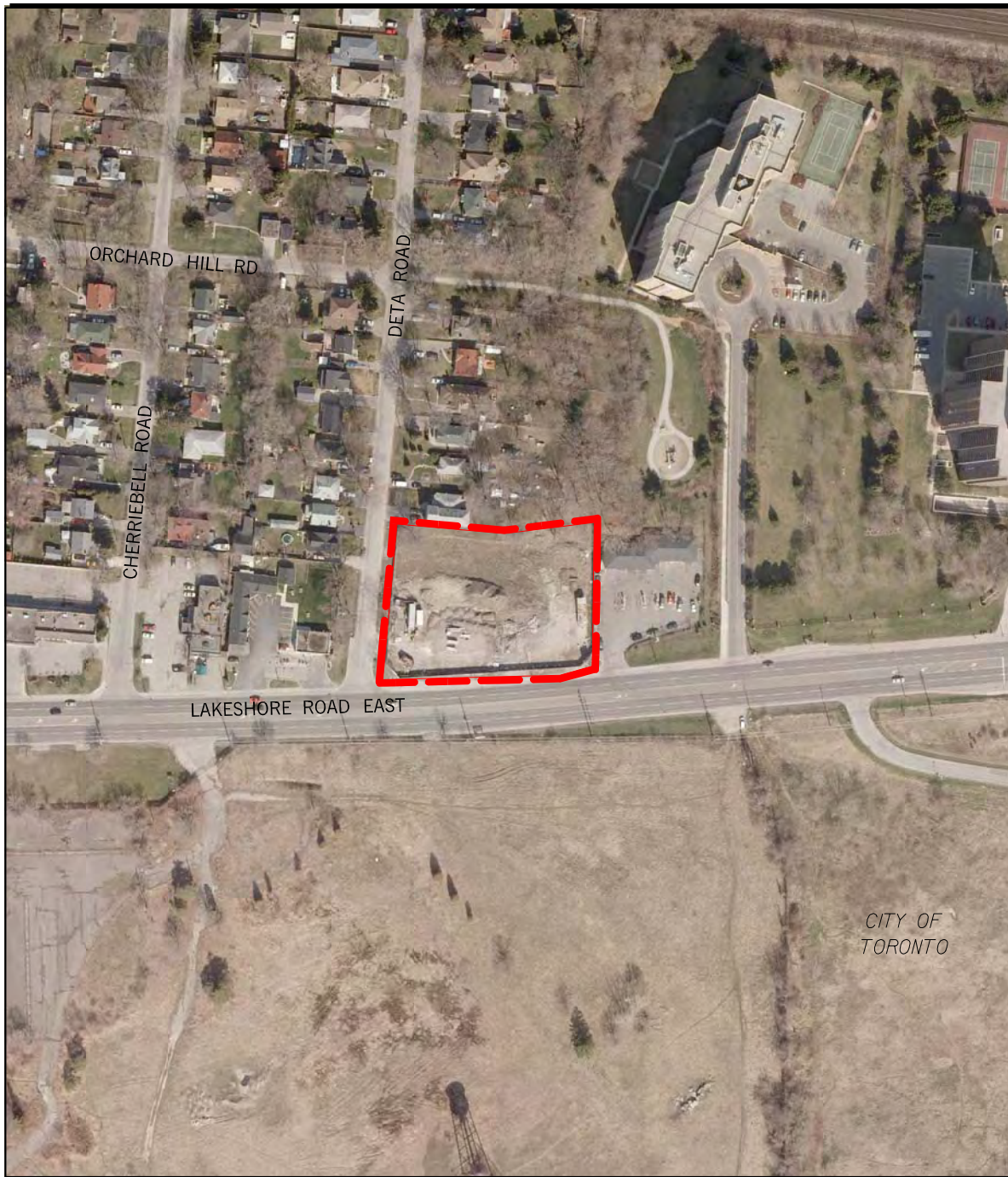
**ATTACHMENTS:**

- Appendix I-1 - Aerial Photograph
- Appendix I-2 - Excerpt of Lakeview District Land Use Map
- Appendix I-3a - Excerpt of Existing Land Use Map-By-law 5500
- Appendix I-3b - Excerpt of Existing Land Use Map-By-law 0225-2007
- Appendix I-4 - Concept Plan
- Appendix I-5 - Elevations
- Appendix I-6 - Agency Comments
- Appendix I-7 - School Accommodation
- Appendix I-8 - Residential Intensification Policies
- Appendix I-9 - General Context Map

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Edward R. Sajecki  
Commissioner of Planning and Building

*Prepared By: John Hardcastle, Development Planner*



LEGEND:



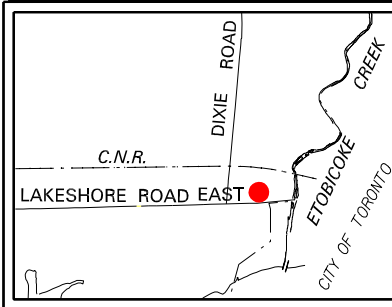
SUBJECT LAND

DATE OF AERIAL PHOTO: APRIL 2007



SUBJECT:

**QUEENSCORP (LAKESHORE) INC.**



FILE NO:  
OZ 06003 W1

DWG. NO:  
06003A

SCALE:  
1:2500

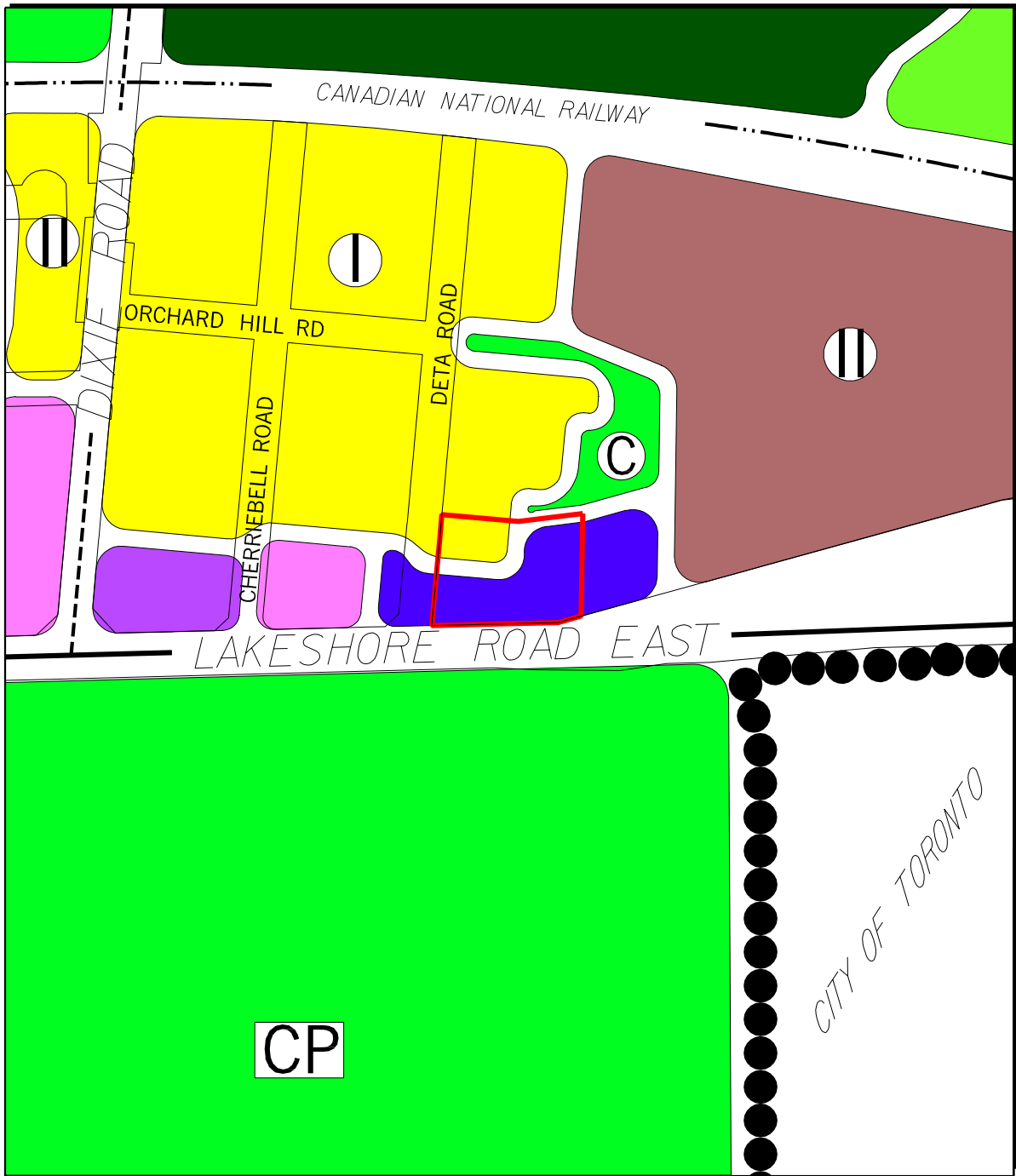
PDC DATE:  
2007 10 15

DRAWN BY:  
N.H.

APPENDIX I-1

**MISSISSAUGA**  
Planning and Building

Produced by  
**T&W, Geomatics**



**PART OF LAKEVIEW DISTRICT LAND USE MAP**  
**LAKEVIEW DISTRICT POLICIES OF MISSISSAUGA PLAN**

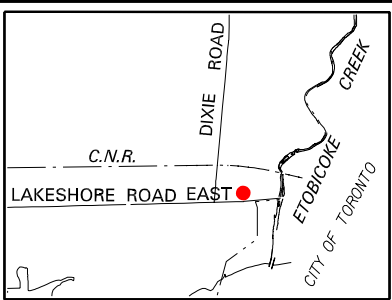
- LAND USE DESIGNATIONS**
- Residential - Low Density I
  - Residential - Low Density II
  - Residential - Medium Density I
  - Residential - High Density I
  - Residential - High Density II
  - Mainstreet Commercial
  - General Commercial
  - Convenience Commercial
  - Motor Vehicle Commercial
  - Business Employment
  - Open Space
  - Private Open Space
  - Greenbelt
  - Utility
- TRANSPORTATION LEGEND**
- Provincial Highway and Interchange
  - Arterial
  - Major Collector
  - Major Collector (Scenic Route)
  - Minor Collector
  - Local Road
  - Existing Commuter Rail
  - GO Transit Station
- LAND USE LEGEND**
- Regulatory Floodplain
  - City Park
  - Community Park
  - Golf Course
  - Proposed Stormwater Management Facility
  - Planning District

NOTE:  
ANY PART OF THE ROAD NETWORK SHOWN  
OUTSIDE THE CITY BOUNDARIES IS SHOWN  
FOR INFORMATION PURPOSES ONLY.

**SUBJECT LANDS**



**SUBJECT:**  
**QUEENSCORP (LAKESTORE) INC.**



**FILE NO:**  
OZ 06003 W1

**DWG. NO:**  
06003L

**SCALE:**  
NTS

**PDC DATE:**  
2007 10 15

**DRAWN BY:**  
N.H.

APPENDIX I-2

**MISSISSAUGA**  
Planning and Building

Produced by  
T&W, Geomatics

## LEGEND:



PROPOSED OFFICIAL PLAN AMENDMENT FROM "RESIDENTIAL LOW DENSITY I" AND "MOTOR VEHICLE COMMERCIAL" TO "RESIDENTIAL HIGH DENSITY II - SPECIAL SITE" AND PROPOSED REZONING FROM "R4" (RESIDENTIAL DETACHED) AND "AC" (AUTOMOTIVE COMMERCIAL) TO "RM7D5-SPECIAL SECTION" (RESIDENTIAL MULTIPLE FAMILY) TO PERMIT A 21 STOREY APARTMENT BUILDING CONTAINING 260 UNITS AND 6 BACK-TO-BACK ROW DWELLINGS, THREE STOREYS IN HEIGHT.

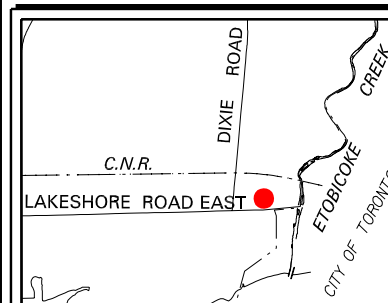
NOTE: THE NEW ZONING BY-LAW (BY-LAW 0225-2007) IS IN FORCE EXCEPT FOR THOSE PROPERTIES WHICH ARE UNDER APPEAL AND MOTION TO APPEAL INCLUDING THE SUBJECT LANDS. SHOULD BY-LAW 0225-2007 COME INTO FORCE FOR THE SUBJECT LANDS, THE ABOVE NOTED APPLICATIONS WOULD NEED TO BE CHANGED IN ACCORDANCE WITH APPENDIX I-3b

NOTE: EXISTING ZONING DELINEATED ON THE PLAN  
PROPOSED ZONING INDICATED BY SHADING WITHIN  
THE APPLICATION AREA.



## SUBJECT:

**QUEENSCORP (LAKESHORE) INC.**



FILE NO:  
OZ 06003 W1

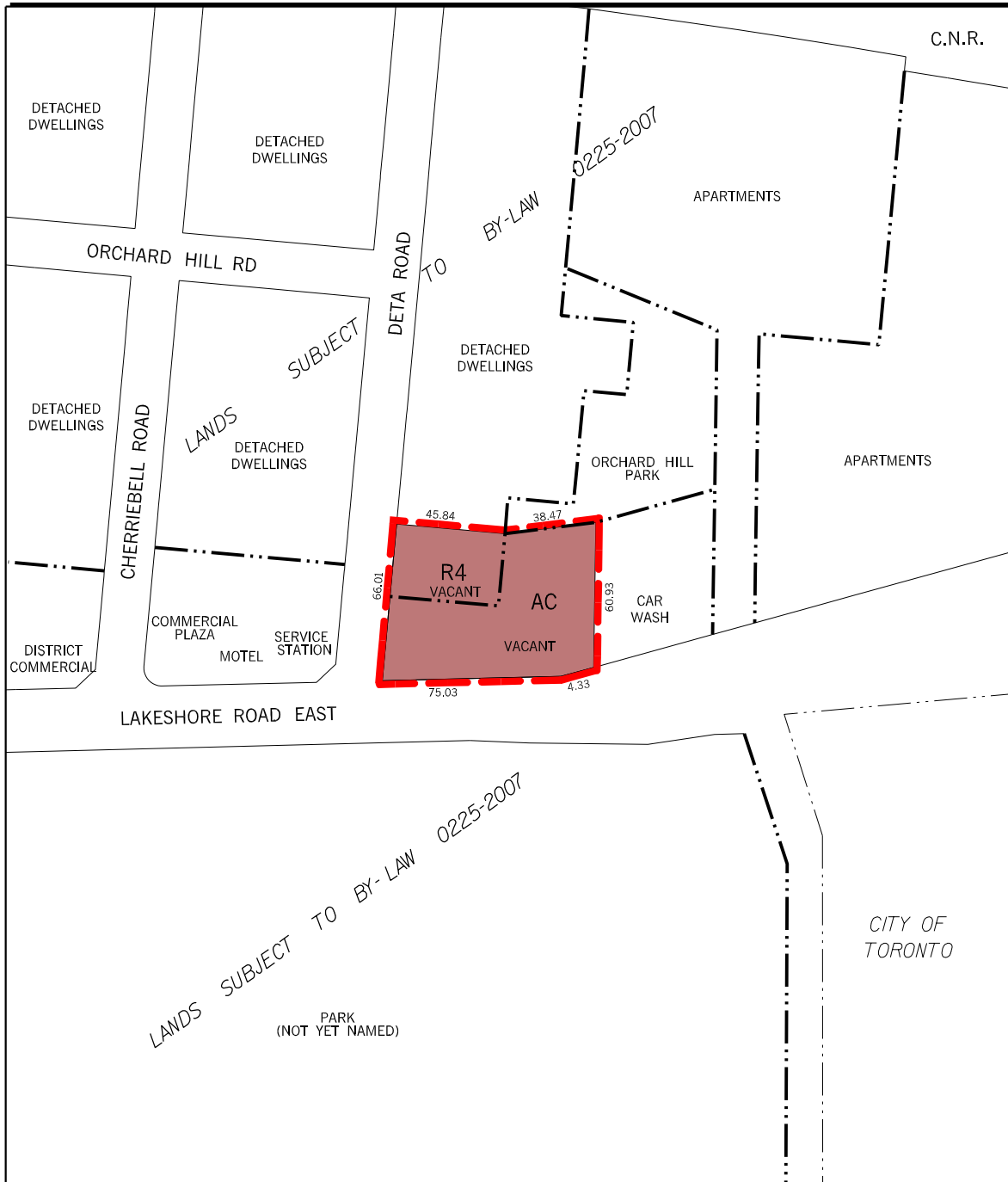
DWG. NO:  
06003R

SCALE:  
1:2500


PDC DATE:  
2007 10 15

DRAWN BY:  
N.H.

APPENDIX I-3a



LEGEND:

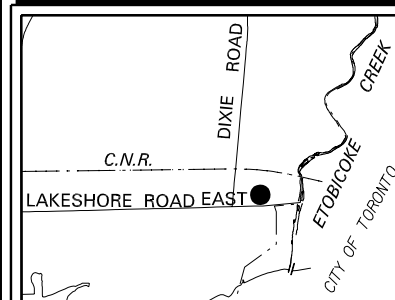
 PROPOSED OFFICIAL PLAN AMENDMENT FROM "RESIDENTIAL LOW DENSITY I" AND "MOTOR VEHICLE COMMERCIAL" TO "RESIDENTIAL HIGH DENSITY II - SPECIAL SITE" AND PROPOSED REZONING FROM "R3" (DETACHED DWELLINGS-TYPICAL LOTS) AND "C5" (MOTOR VEHICLE COMMERCIAL) TO "RA5-EXCEPTION" (APARTMENT DWELLING) TO PERMIT A 21 STOREY APARTMENT BUILDING CONTAINING 260 UNITS AND 6 BACK-TO-BACK ROW DWELLINGS, THREE STOREYS IN HEIGHT.

NOTE: EXISTING ZONING DELINEATED ON THE PLAN  
PROPOSED ZONING INDICATED BY SHADING WITHIN  
THE APPLICATION AREA.



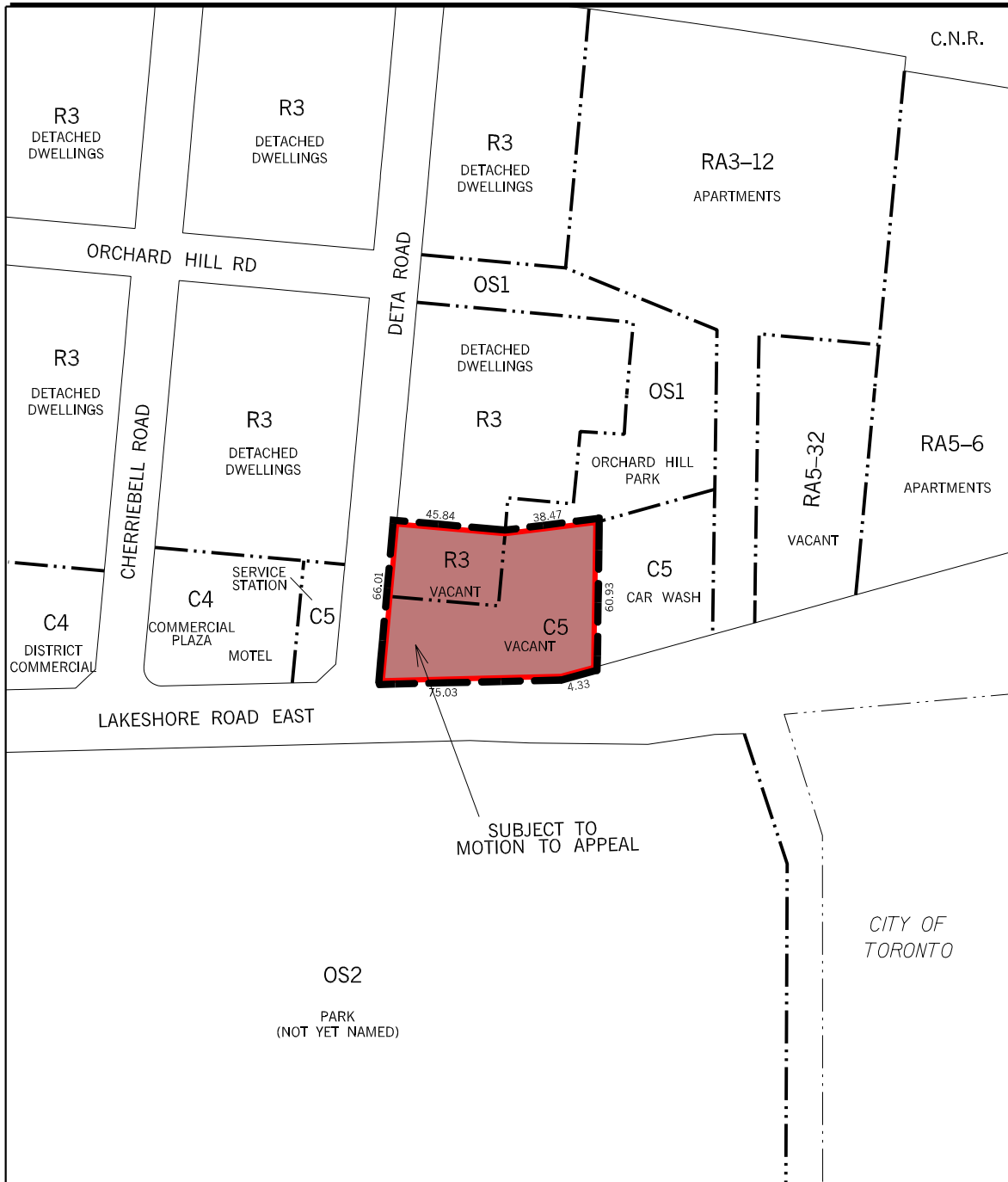
SUBJECT:

**QUEENSCORP (LAKESHORE) INC.**

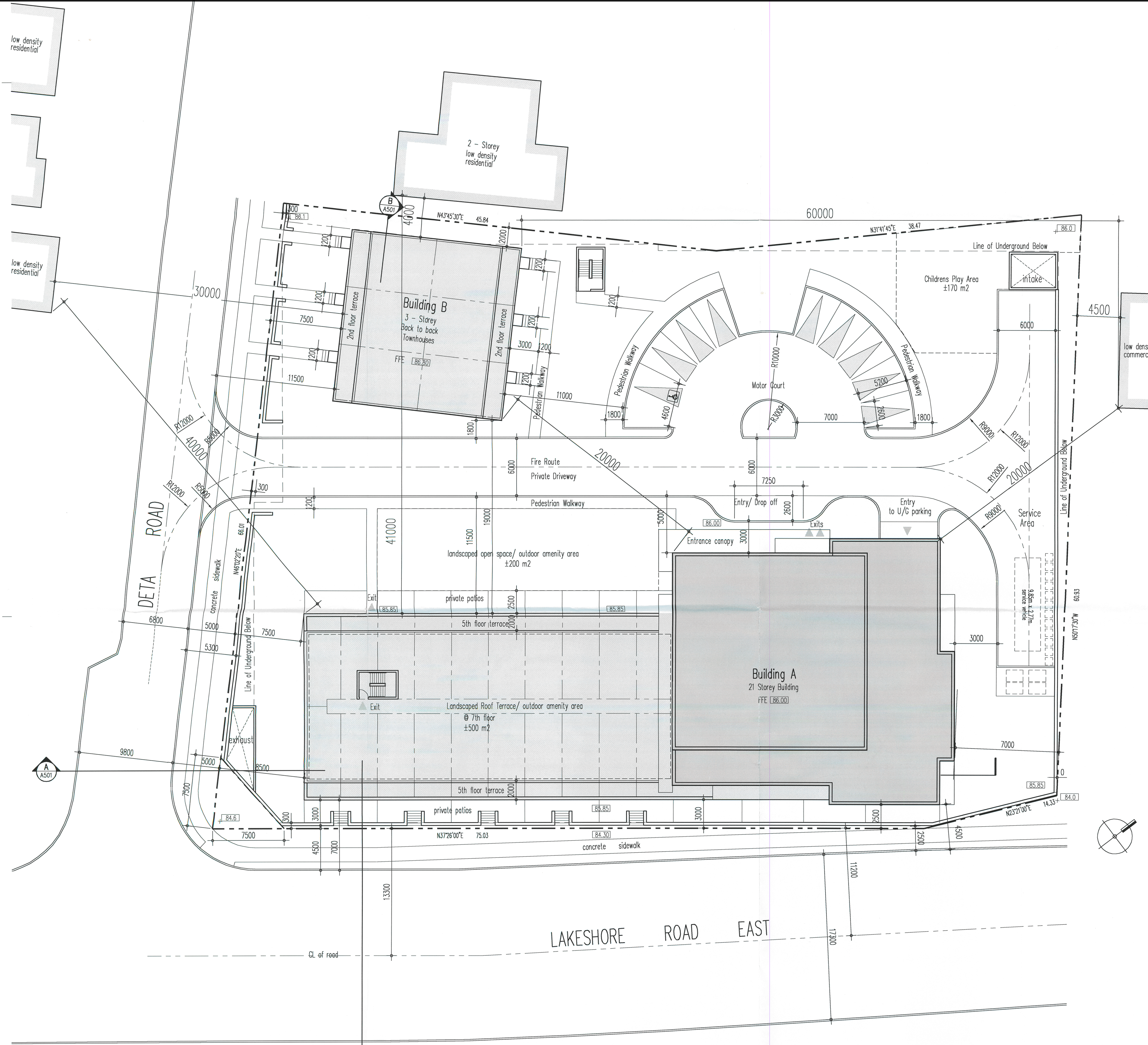


FILE NO:  
OZ 06003 W1  
DWG. NO:  
06003R  
SCALE:  
1:2500  
PDC DATE:  
2007 10 15  
DRAWN BY:  
N.H.

APPENDIX I-3b

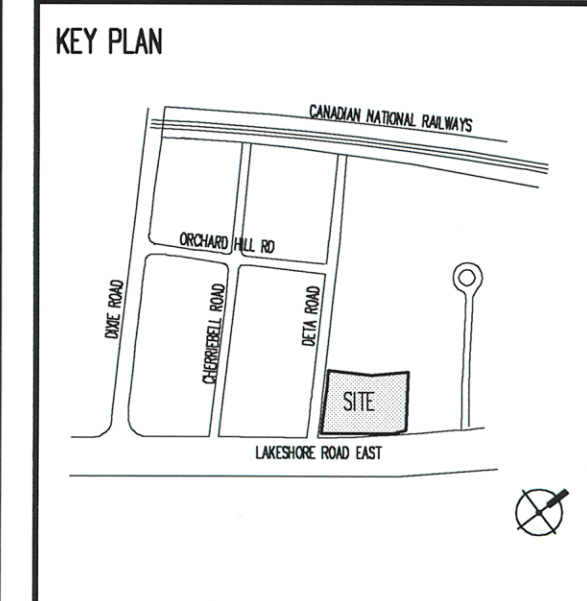






**GENERAL NOTES**

1. FOR LANDSCAPING REFER TO LANDSCAPE DRAWINGS.
2. FOR PROPOSED GRADING, REFER TO LANDSCAPE DRAWINGS.
3. ALL PERIMETER EXISTING INFORMATION INDICATED TAKEN FROM SURVEY.
4. ALL WORK TO BE DONE IN CONFORMANCE WITH THE 1997 ONTARIO BUILDING CODE. [O.Reg. 403/07, OBC]



- LIST OF DRAWINGS**
- A101 SITE PLAN AND STATISTICS
  - A102 SHADOW DIAGRAMS
  - A103 SHADOW DIAGRAMS
  - A201 UG PLAN- P3+P2
  - A301 GROUND FLOOR PLAN
  - A302 7TH FLOOR PLAN
  - A303 TYPICAL FLOOR PLAN [8TH-21ST FLOORS]
  - A401 ELEVATIONS
  - A501 BUILDING SECTIONS

**SURVEY INFORMATION**

PLAN OF SURVEY AND TOPOGRAPHY OF PART OF LOT 5 CONCESSION 2, SOUTH OF DUNDAS STREET CITY OF MISSISSAUGA REGIONAL MUNICIPALITY OF PEEI

RABDOU & CZERNIOWSKI  
ONARIO LAND SURVEYORS  
777 THE QUEENSWAY, UNIT E  
TORONTO, ONTARIO  
M2Z 1N4  
P: 416-252-2511

PROJECT STATISTICS	BYLAW	PROPOSED
1. Zoning		
2. Site Area		5,382 m <sup>2</sup> 1.33 ac
3. F.S.I.		3.9
4. G.F.A.		Highrise/Podium Grd (Bldg A) 2nd - 4th 1,600 x 3 fl = 4,800 m <sup>2</sup> 5th + 6th 1,350 x 2 fl = 2,700 m <sup>2</sup> 7th - 21st 745 x 15 fl = 11,175 m <sup>2</sup> 20,185 m <sup>2</sup> Townhouses (Bldg B) 325 m <sup>2</sup> x 3 fl = 975 m <sup>2</sup> total 21,160 m <sup>2</sup> [227,770 ft <sup>2</sup> ]
5. Units		Highrise/Podium (Bldg A) 260 units Townhouses (Bldg B) 6 units total *266 units
6. Unit Mix		1BL 1B 1B+D 2B 2B+D total Highrise/Podium Grd (Bldg A) 2nd - 2 1 1 23 3rd - 3 4 2 1 10 4th - 40 12 16 8 4 80 5th - 1 3 2 1 7 6th - 42 56 28 14 140 7th - 59 58 81 41 21 *260 8th - 21st - 6 6 6 6 6 Townhouses (Bldg B) 59 58 81 41 21 *266 total 59 58 81 41 27 *266
7. Building Height		Highrise/Podium (Bldg A) 21 storeys 68.5 m [225 ft] Townhouses (Bldg B) 3 storeys 12 m [39 ft]
8. Building Setbacks	Deta Rd. 7.5 m [24.6 ft] min.	Lakeshore Rd. 2.5 m [8.0 ft] min. Deta Rd. 7.5 m [24.6 ft] min. North P.L. 2.0 m [6.6 ft] min. East P.L. 7.0 m [22.9 ft] min.
9. Parking	1BR 1.5u [1.25 res +0.25 vis] [198] =297 required 2BR 1.65u [1.4 res +0.25 vis] [62] =103 required 2BRTH 2.3u [2.0 res, 0.25 vis + 0.05 rec] =14 required total required= 414	Visitor 9 Surface P1 58 79 137 P2 137 139 139 P3 67 355 422 total 9
10. Coverage		Buildings 1,965 m <sup>2</sup> 35 % Landscape 2,327 m <sup>2</sup> 43 % Drive/Park 1,190 m <sup>2</sup> 22 % total 5,382 m <sup>2</sup> 100 %

\* Final Unit Count & Breakdown May Vary Depending On Market Demand.

This drawing, as an instrument of service, is provided by and is the property of Graizani + Corazza Architects Inc. The contractor must verify and accept responsibility for all dimensions and conditions on site and must notify graizani + corazza Architects Inc. of any variations from the supplied information. graizani + corazza Architects Inc. is not responsible for the accuracy of survey, structural, mechanical, electrical, etc., engineering information shown on this drawing. Refer to the appropriate engineering drawings before proceeding with the work. Construction must conform to all applicable codes and requirements of the authorities having jurisdiction. Unless otherwise noted, no investigation has been undertaken or reported on by this office in regards to the environmental condition of this site.

This drawing is not to be used for construction purposes until countersigned by the Architect.

COUNTERSIGNED  
B. GRAZIANI, OAA, MRAIC

DATE  
This drawing is not to be scaled. All architectural symbols indicated on this drawing are graphic representations only.

- |                |                                   |      |
|----------------|-----------------------------------|------|
| 1. MAY.05.2005 | ISSUED TO THE CITY OF MISSISSAUGA | B.G. |
| 2. DEC.20.2005 | ISSUED FOR REZONING AND O.P.A.    | B.G. |
| 3. DEC.14.2006 | RE-ISSUED FOR REZONING AND O.P.A. | B.G. |
| 4. APR.17.2007 | RE-ISSUED FOR REZONING AND O.P.A. | P.I. |

**GRAZIANI + CORAZZA ARCHITECTS INC.**

1320 SHAWNSON DRIVE, SUITE 100, MISSISSAUGA ONTARIO L4W 1C3  
T: 905.795.2801  
F: 905.795.2844  
info@gc-architects.com

**PROPOSED RESIDENTIAL DEVELOPEMNT LAKESHORE & DETA RD.**

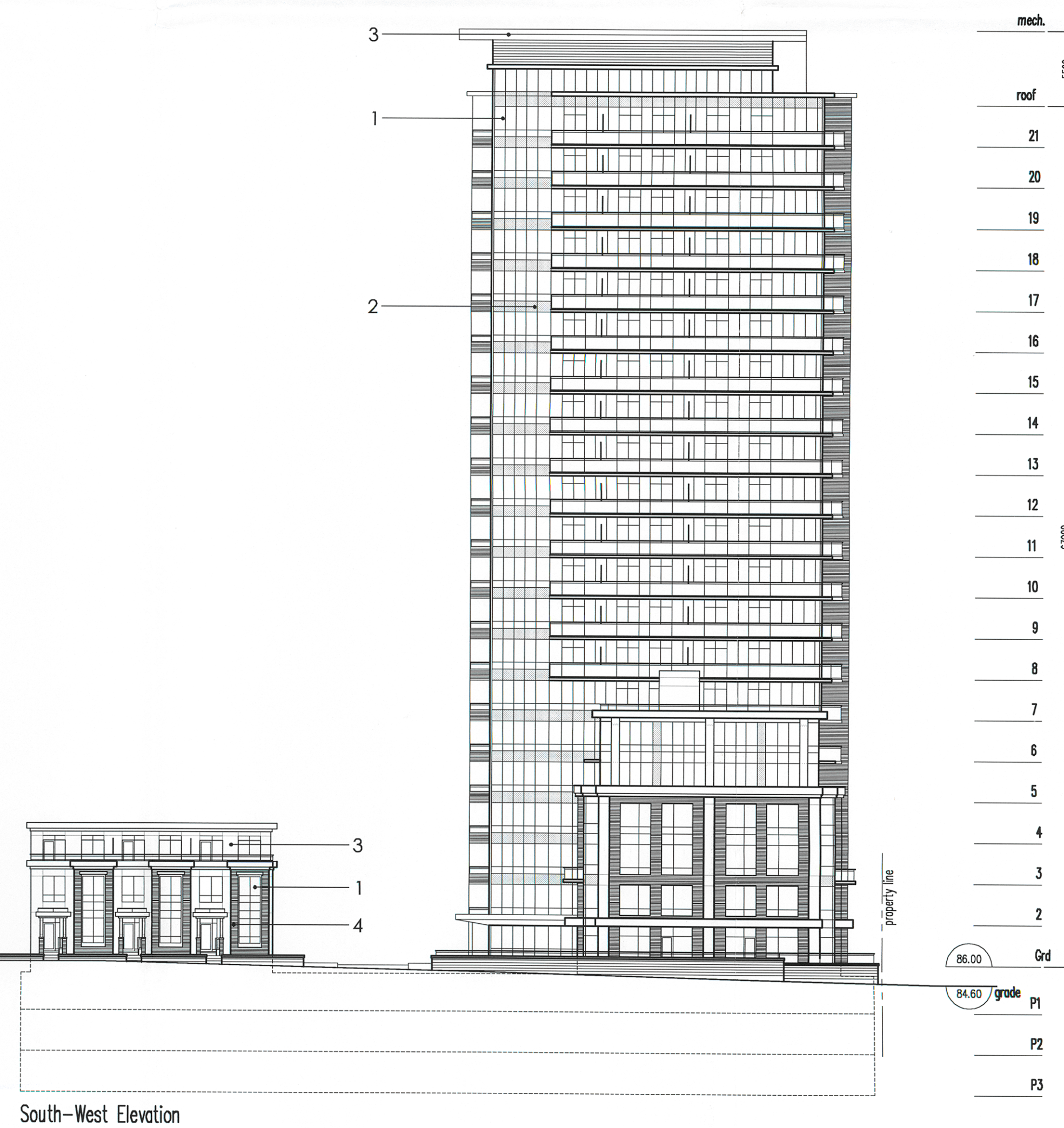
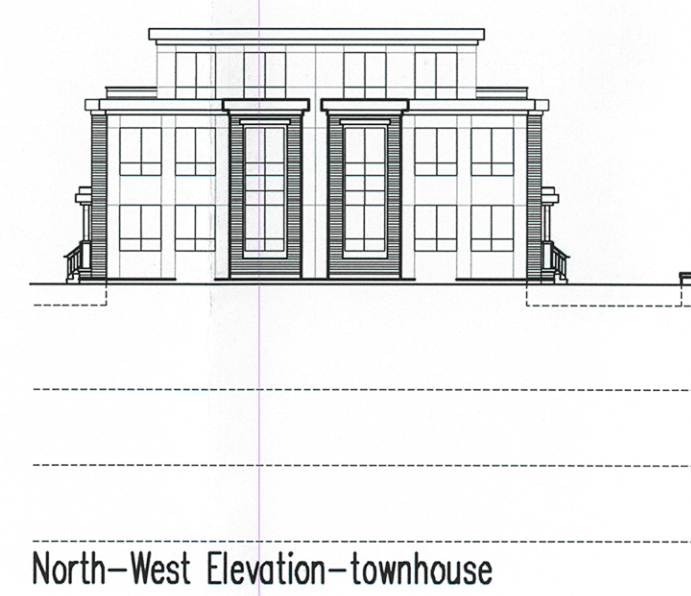
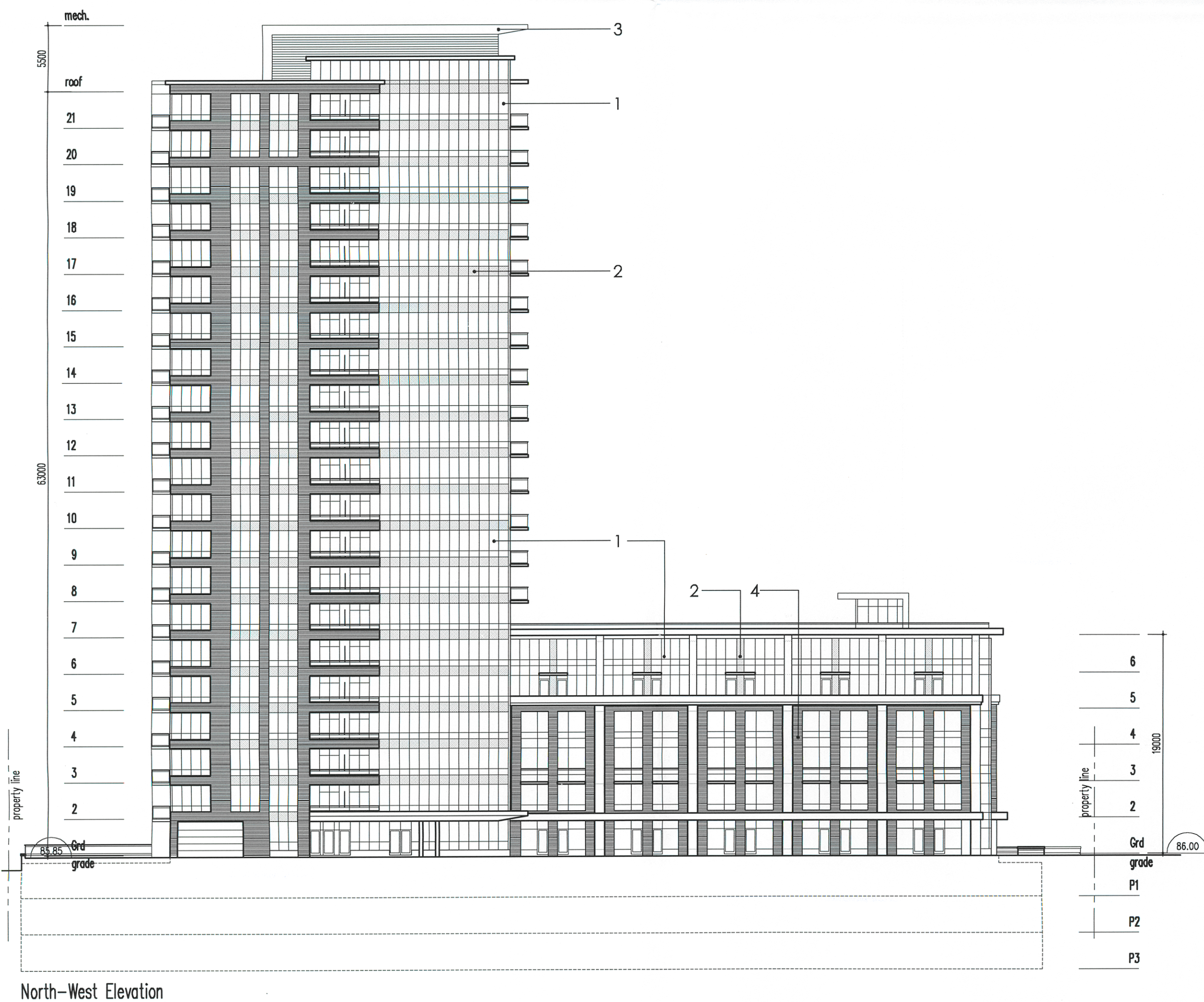
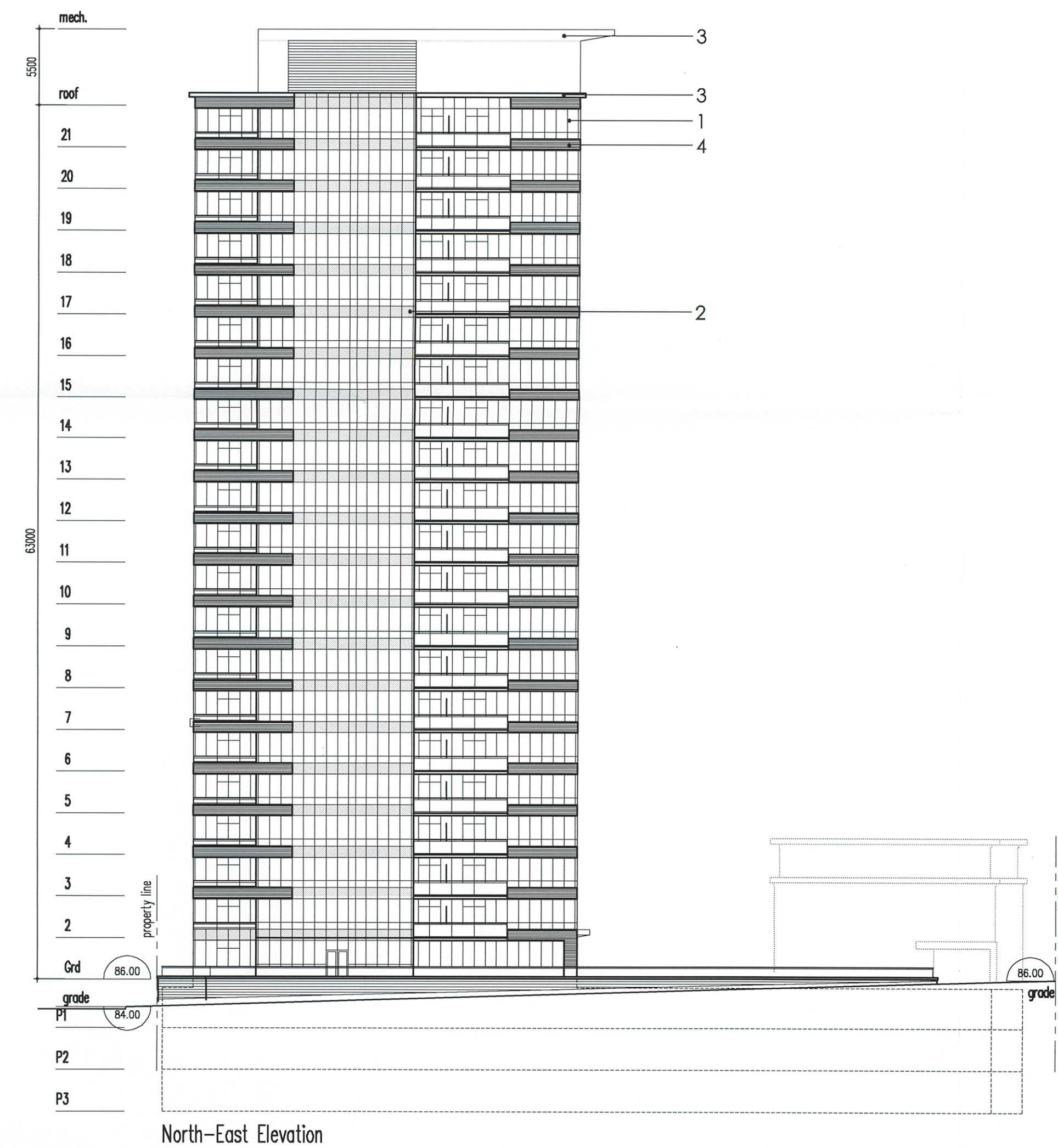
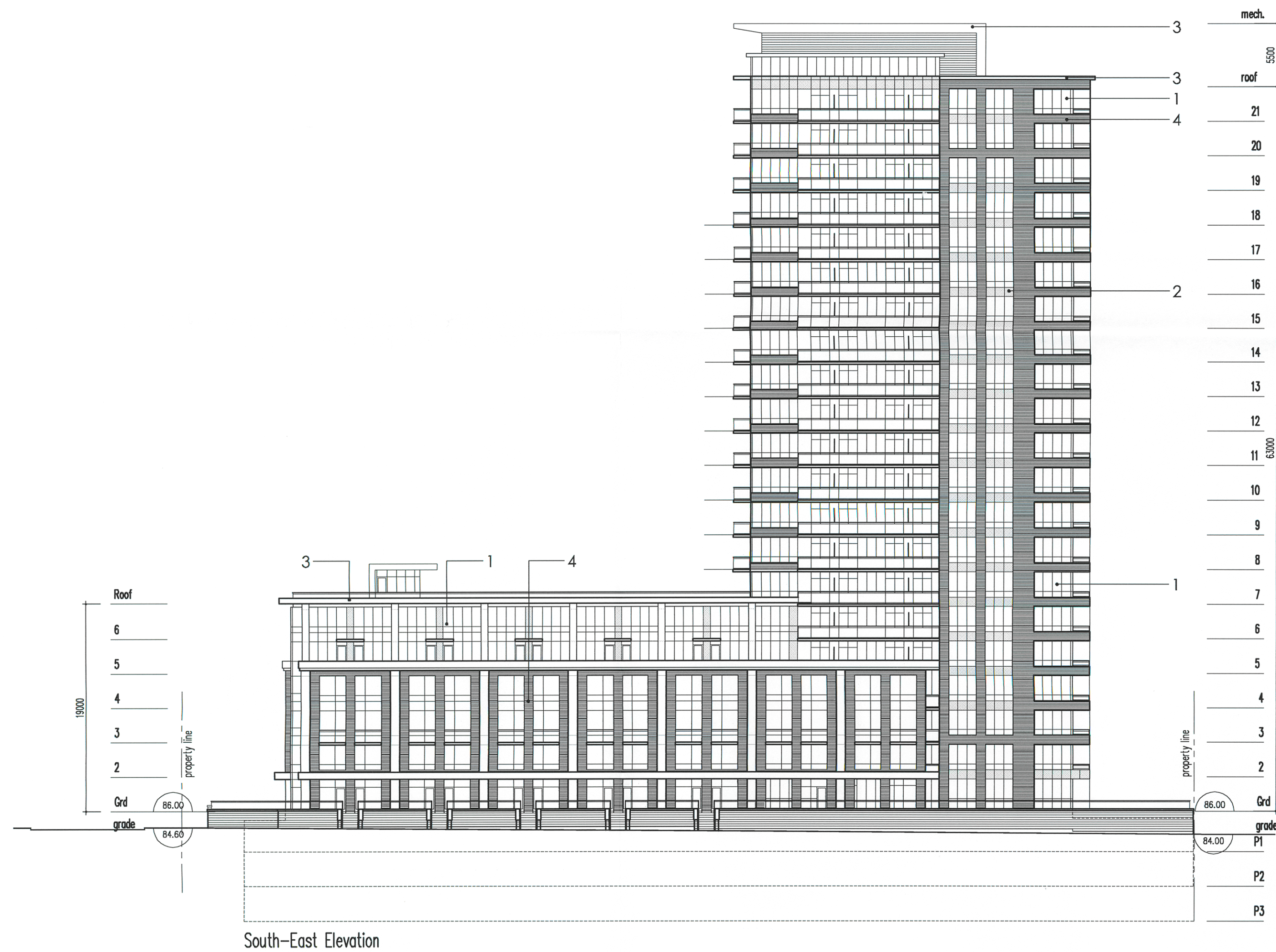
MISSISSAUGA ONTARIO

**SITE PLAN + STATISTICS**

PROJECT ARCHITECT:	B. GRAZIANI	JOB #	474.04
ASSISTANT DESIGNER:	P. JICKE		
DRAWN BY:	M.F.		
CHECKED BY:	D. BIASE	SHEET NO.	A.101
DATE:	APR.17.2007		
SCALE:	1:200		

**APPENDIX I-4**





- Materials Legend**
- 1 - Glazing
  - 2 - Spandrel Glass/Metal Panel
  - 3 - Precast/Slucco
  - 4 - Masonry Units

This drawing, as an instrument of service, is provided by and is the property of Graziani + Corazza Architects Inc. The contractor must verify and accept responsibility for all dimensions and conditions on site and must notify Graziani + Corazza Architects Inc. of any variations from the supplied information. Graziani + Corazza Architects Inc. is not responsible for the accuracy of survey, structural, mechanical, electrical, etc., engineering information shown on this drawing. Refer to the appropriate engineering drawings before proceeding with the work. Construction must conform to all applicable codes and requirements of the authorities having jurisdiction. Unless otherwise noted, no investigation has been undertaken or reported on by this office in regards to the environmental condition of this site.

This drawing is not to be used for construction purposes until countersigned by the Architect.

COUNTERSIGNED  
B. GRAZIANI, O.A.A., M.R.A.I.C.

DATE

This drawing is not to be scaled. All architectural symbols indicated on this drawing are graphic representations only.

1.	MAY.05.2005	ISSUED TO THE CITY OF MISSISSAUGA.	B.G.
2.	DEC.20.2005	ISSUED FOR REZONING AND O.P.A.	B.G.
3.	DEC.14.2006	RE-ISSUED FOR REZONING AND O.P.A.	B.G.
4.	APR.17.2007	RE-ISSUED FOR REZONING AND O.P.A.	P.J.



**GRAZIANI + CORAZZA**  
ARCHITECTS INC.

1320 SHAWINSON DRIVE, SUITE 100,  
MISSISSAUGA, ONTARIO L4W 1C3  
T: 905.795.2801  
F: 905.795.2844  
info@gc-architects.com

PROPOSED RESIDENTIAL DEVELOPEMNT  
**LAKEHORE & DETA RD.**

MISSISSAUGA ONTARIO

**ELEVATIONS**

PROJECT ARCHITECT:	B. GRAZIANI	JOB #
ASSISTANT DESIGNER:	P. JOCKE	474.04
DRAWN BY:	M.F.	SHEET NO.
CHECKED BY:	D. BIASE	A.401
DATE:	APR.17.2007	
SCALE	1:300	



Queenscorp (Lakeshore) Inc.

File: OZ 06/003 W1

### Agency Comments

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

Agency / Comment Date	Comment
Region of Peel (May 28, 2007)	<p>Municipal services consist of a 300 mm (12 in.) diameter watermain on Lakeshore Road East and a 150 mm (6 in.) diameter watermain on Deta Road.</p> <p>Municipal sanitary services consist of a 300 mm (12 in.) diameter sanitary sewer on Lakeshore Road East and a 250 mm (10 in.) diameter sanitary sewer on Deta Road.</p> <p>The applicant is required to enter into a Condominium Water Servicing Agreement with the Regional Municipality of Peel.</p> <p>Should the subject applications be approved, the applicant will be required to submit an updated Functional Servicing Report that addresses both water and sanitary sewer capacity at the site plan stage once the unit yield for the proposed development has been finalized.</p> <p>Curbside collection will be provided by the Region of Peel to the townhouse units fronting Deta Road, a waste collection plan will be required at the time of site plan application for those townhouse units without street frontage.</p> <p>We have no concerns with the Traffic Impact Study (TIS) as it relates to the proposed development. The TIS indicates that the proposed development will have minimal impact on Regional Road # 4, Dixie Road. The Region of Peel will monitor the intersection of Dixie Road and Lakeshore Road East and make necessary improvements, if required.</p>
Dufferin-Peel Catholic District School Board (May 14, 2007)	Based on the Dufferin-Peel Catholic District School Board's School Accommodation Criteria, the Board is satisfied with the current provision of educational facilities for the catchment area in which the subject application is located. The City of Mississauga school accommodation condition as required by City of Mississauga Council Resolution 152-98 pertaining to satisfactory arrangements regarding the adequate provision and distribution of education facilities need not be applied for these

Queenscorp (Lakeshore) Inc.

File: OZ 06/003 W1

Agency / Comment Date	Comment
	<p>applications.</p> <p>The Board requests that the following conditions be incorporated into the Servicing and Development Agreements and included in all offers of purchase and sale of residential lots/units until the permanent school for the area has been completed.</p> <p>"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."</p> <p>"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."</p>
Peel District School Board (May 14, 2007)	<p>Based on the Peel District School Board's School Accommodation Criteria, the Board is satisfied with the current provision of educational facilities for the catchment area in which the subject application is located. The City of Mississauga school accommodation condition as required by City of Mississauga Council Resolution 152-98 pertaining to satisfactory arrangements regarding the adequate provision and distribution of education facilities need not be applied for these applications.</p> <p>Although there is available current capacity, the Board has requested that the following condition be placed in the Development and Servicing Agreements, in the event the applications are approved:</p> <p>"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 hereby 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</p>

Queenscorp (Lakeshore) Inc.

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	the Peel District School Board to determine the exact schools.”
City Community Services Department – Planning, Development and Business Services Division (August 2, 2007)	<p>The subject property is adjacent to Orchard Hill Park (P-145), and a future park located on the south side of Lakeshore Road East (P-358). Further information on grading and vegetation impacts are required to justify the proposed underground parking setbacks. At this time, access to Orchard Hill Park is being considered, however, should this option be pursued, CPTED principles are to be applied and access must be satisfactory to this Department. Further, the Vegetation Analysis Plan is to be revised to include vegetation along the northern property line within Orchard Hill Park.</p> <p>Should these applications be approved, prior to by-law enactment, contributions for street tree planting on Lakeshore Road East and Deta Road will be required. Further, securities for the existing London Plane street trees will also be required prior to by-law enactment. To ensure protection of the parkland, hoarding, fencing and clean-up securities are required from the applicant.</p> <p>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> (R.S.O. 1990, c.P. 13, as amended) and in accordance with City's Policies and By-laws.</p>
City Transportation and Works Department (September 6, 2007)	<p>The applicant has provided a supporting Traffic Impact Study which is currently being reviewed by staff. Comments on this study will be finalized prior to the preparation of a Supplementary Report.</p> <p>The applicant is to provide reliance letters in support of the submitted Phase I and Phase II Environmental Site Assessments (ESA) and an updated Acoustical Report for review. In addition, the applicant is to clarify the status of a mutual access easement which exists between 1451 and 1459 Lakeshore Road East. The current proposal does not accommodate this easement.</p> <p>Updated comments on the above will be finalized prior to the preparation of a Supplementary Report.</p>
Bell Canada (September 5, 2006)	An easement may be required to provide service to the development.

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Other City Departments and External Agencies	<p>The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner:</p> <p>Economic Development  Realty Services  Enersource – Hydro Mississauga  Rogers Cable  Enbridge  Credit Valley Hospital  Community Services – Fire and Emergency Services Division</p>
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <p>Enbridge Gas Distribution  Conseil Scholaire de District Catholic Centre-Sud  Conseil Scholaire de District Centre-Sud-Ouest  GO Transit  CN Rail  Canada Post Corporation  Rogers Cable  Trillium Health Centre  City of Toronto  Hydro One Networks</p>

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**School Accommodation**

<b>The Peel District School Board</b>	<b>The Dufferin-Peel Catholic District School Board</b>
<ul style="list-style-type: none"> <li>Student Yield: <ul style="list-style-type: none"> <li>20 Kindergarten to Grade 5</li> <li>12 Grade 6 to Grade 8</li> <li>16 Grade 9 to Grade 12/OAC</li> </ul> </li> <li>School Accommodation: <ul style="list-style-type: none"> <li>Neil C. Matheson P.S. <ul style="list-style-type: none"> <li>Enrolment: 278</li> <li>Capacity: 354</li> <li>Portables: 0</li> </ul> </li> <li>Allan A. Martin Sr. P.S. <ul style="list-style-type: none"> <li>Enrolment: 455</li> <li>Capacity: 538</li> <li>Portables: 0</li> </ul> </li> <li>Gordon Graydon Memorial S.S. <ul style="list-style-type: none"> <li>Enrolment: 1,150</li> <li>Capacity: 1,125</li> <li>Portables: 6</li> </ul> </li> </ul> </li> </ul> <p>* Note: Capacity reflects the Ministry of Education rated capacity, not the Board rated capacity, resulting in the requirement of portables.</p>	<ul style="list-style-type: none"> <li>Student Yield: <ul style="list-style-type: none"> <li>50 Junior Kindergarten to Grade 8</li> <li>14 Grade 9 to Grade 12/OAC</li> </ul> </li> <li>School Accommodation: <ul style="list-style-type: none"> <li>Queen of Heaven Elementary School <ul style="list-style-type: none"> <li>Enrolment: 490</li> <li>Capacity: 561</li> <li>Portables: 0</li> </ul> </li> <li>St. Paul Secondary School <ul style="list-style-type: none"> <li>Enrolment: 822</li> <li>Capacity: 807</li> <li>Portables: 0</li> </ul> </li> </ul> </li> </ul>

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**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.





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**Recommendation PDC-0075-2007**

- PDC-0075-2007
- "1. That the Report dated September 25, 2007, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Residential Low Density I" and "Motor Vehicle Commercial" to "Residential High Density II-Special Site" and to change the zoning from "R4" (Residential Detached) and "AC" (Automotive Commercial) to "RM7D5-Special Section" (Residential Multiple Family) to permit a 21 storey, 260 unit condominium apartment building and 6 back-to-back row dwellings under file OZ 06/003 W1, Queenscorp (Lakeshore) Inc., 1439, 1451 Lakeshore Road East and 1013, 1017 Deta Road, be received for information.
  2. That the petitions with signatures, form letters and form emails distributed prior to and presented at the Planning and Development Committee expressing objection to the above mentioned development, be received and referred to the Planning and Building Department.
  3. That the e-mails from area residents expressing objection to the above noted development be received."

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**Agency Comments**

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

<b>Agency / Comment Date</b>	<b>Comment</b>
Region of Peel (April 3, 2008)	The Region of Peel provided similar comments to those previously provided under OZ 06/003 W1.
Dufferin-Peel Catholic District School Board and the Peel District School Board (March 10, 2008)	<p>Both school boards indicated that they are satisfied with the current provision of educational facilities for the catchment area in which the subject application is located. The City of Mississauga school accommodation condition as required by Council Resolution 152-98 pertaining to satisfactory arrangements regarding the adequate provision and distribution of education facilities need not be applied for this application.</p> <p>Both the school boards also advised that standard clauses pertaining to school accommodation and bussing are to be placed in any necessary Development and Servicing Agreements, should the application be approved.</p>
City Community Services Department – Planning, Development and Business Services Division (April 1, 2008)	<p>This Department advised that the subject property is adjacent to Orchard Hill Park (P#145,) and a future park located on the south side of Lakeshore Road East (P#358). Information regarding grading and impacts to street trees and vegetation within the adjacent park remain outstanding. A satisfactory grading plan is required, and the Vegetation Analysis Plan must be revised to include City trees along the park property line.</p> <p>At this time, access to Orchard Hill Park is being considered, however more detail regarding the proposed connection is required. This Department notes that any connection to Orchard Hill Park and park alternations as a result of this connection, would be funded by the developer. Park development plans, associated costing, and a Letter of Credit for any park works is required prior to by-law enactment.</p>

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Agency / Comment Date	Comment
	<p>Prior to the issuance of building permits, cash-in-lieu of parkland 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 the City's Policies and By-laws.</p>
<p>City Transportation and Works Department (April 1, 2008)</p>	<p>This Department indicated that they are satisfied with the Traffic Impact Study and associated update submitted in support of this application, which concluded that the proposed traffic volumes generated can be accommodated by the existing transportation infrastructure. While an increase in population is proposed in the revised development application, this increase represents a negligible impact in respect to the findings of the submitted traffic studies.</p> <p>The applicant has provided an incomplete Acoustical Report, which prevents the City from placing reliance on its findings. As of the date of preparation of this report, a revised Acoustical Report addressing detailed comments had not yet been provided. A revised report will be required prior to permitting redevelopment of the subject lands.</p> <p>As of the writing of this report, reliance letters in support of the submitted Phase I and Phase II Environmental Site Assessments (ESA) previously requested by this Department have not been addressed by the owner. In addition, the concept plan is to be revised to illustrate the required road widening and sight triangle along the site's Lakeshore Road East frontage.</p> <p>In the event that this application is approved by Council, the above-noted reliance letters must be addressed by the owner to the satisfaction of this Department. The owner will also be required to provide a Final Site Clean-Up Report and a Record of Site Condition (RSC) as remediation is required to meet the appropriate MOE criteria. Further, the owner is to provide confirmation that the existing access easement within the site</p>

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Agency / Comment Date	Comment
	<p>has been released.</p> <p>Prior to site plan approval, the owner is to provide securities to ensure the satisfactory installation of air conditioning units, dedicate gratuitously to the City of Mississauga, a road widening along the site's Lakeshore Road East frontage and a sight triangle at the corner of Lakeshore Road East and Deta Road, and provide a cash contribution toward 50% of the cost of reconstructing Deta Road to a paved, curb and gutter cross section, including the installation of a sidewalk, across the frontage of these lands.</p>
Other City Departments and External Agencies	<p>The following City Departments and external agencies offered no objection to this application provided that all technical matters are addressed in a satisfactory manner:</p> <p>Economic Development  Realty Services  Enersource – Hydro Mississauga  Rogers Cable  Enbridge  Credit Valley Hospital  Community Services – Fire and Emergency Services</p>
	<p>The following City Departments and external agencies were circulated the application but provided no comments:</p> <p>Enbridge Gas Distribution  GO Transit  CN Rail  Canada Post  Trillium Health Centre  City of Toronto  Hydro One Networks</p>

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**Principles for Alternative Development -  
Lakeshore Road East**

The following general principles of development should be incorporated into any future development along Lakeshore Road East within the Lakeview Planning District:

- Properties along the Lakeshore Road East frontage should be developed as mixed use;
- Commercial uses should be developed at ground level (maintaining a similar grade level with the sidewalk) and have direct access to Lakeshore Road East from individual commercial units and the main (communal) residential entrance;
- A minimum of 70 % of the building should front directly onto Lakeshore Road East;
- Where located at an intersection with a local road the commercial façade may be permitted to wrap around the corner to a maximum depth of 10 m (32.8 ft.);
- A mixed use building shall be set back a minimum of 0.6 m (2 ft.) and a maximum of 3.0 m (9.8 ft.). The appropriate building setback will be determined through an analysis of the boulevard treatment;
- There should be no parking between the building and Lakeshore Road East;
- Any underground parking structure should be setback a minimum of 3.0 m (9.8 ft.) from any side and rear property line;
- No underground parking structure shall project beyond the grade at the sidewalk level. Ground related commercial uses shall be provided at the same grade level as the existing sidewalk;
- Surface parking should be minimized;
- A 45% angular plane is required from the property line at the rear of the site to determine the appropriate height that can be constructed on the site to a maximum of 6 storeys adjacent to existing low rise detached residential development;
- A minimum setback of 7.5 m (24.6 ft.) of buffer space is required along the property line adjacent to any residential use to a building or structure;
- Garbage, temporary garbage layout area and loading areas should not be visible from Lakeshore Road East;
- A shadow analysis should be conducted to ensure that there are no negative impacts on adjacent residential uses and on the public realm;
- A wind analysis should direct development to ensure that there are no negative impacts from the proposed development on the public realm or adjacent properties.

In addition to the above, if a property is to develop as a purely residential use:

- A minimum setback of 7.5 m (24.6 ft.) is required to any building or structure. No balconies or amenity space should be located directly at grade along Lakeshore Road East;
- Stairs, canopies, balconies are permitted to encroach into the 7.5 (24.6 ft.) setback, however the stairs shall have no more than 5 risers.

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**Zone Standards Proposed and Required**

<b>Standard</b>	<b>Proposed (RA5-Exception)</b>	<b>Required (RA5)</b>
Front Yard to tower (Lakeshore Rd. E.)	1.5 m (4.9 ft.)	10.5 m (34.5 ft.)
Front Yard to façade (Lakeshore Rd. E.)	6.0 m (19.7 ft.)	9.5 m (31.2 ft.)
Front Yard to parking structure (Lakeshore Rd. E.)	0.3 m to 0.9 m (1 ft. to 3 ft.)	7.5 m (24. 6 ft.)
Front yard Landscaped Area (Lakeshore Rd. E.)	0.3 m to 0.9 m (1 ft. to 3 ft.)	4.5 m (14.8 ft.)
Exterior Side Yard to façade (Deta Rd.)	3.0 m (9.8 ft.)	9.5 m (31.2 ft.)
Exterior Side Yard to row dwellings (Deta Rd.)	7.5 m (24. 6 ft.)	7.5 m (24. 6 ft.)
Exterior Side Yard to parking structure (Deta Rd.)	0.3 m (1 ft.)	7.5 m (24. 6 ft.)
Exterior Side Yard Landscape Area (Deta Rd.)	1.2 m (3.9 ft.)	4.5 m (14.8 ft.)
Interior Side Yard to tower (east)	8.0 m (26 ft.)	4.5 m (14.8 ft.)
Interior Side Yard to parking structure (east)	3.0 m (9.8 ft.)	7.5 m (24. 6 ft.)
Interior Side Yard Landscape Area (east)	3.0 m (9.8 ft.)	3.0 m (9.8 ft.)
Rear Yard (from row dwellings to north property line)	2.0 m (6.6 ft.)	7.5 m (24. 6 ft.)
Rear Yard (from parking structure to north property line)	0.3 m (1 ft.)	3.0 m (9.8 ft.)
Rear Yard Landscape Area (north)	2.0 m (6.6 ft.)	4.5 m (14.8 ft.)

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## **Applicant's Urban Design and Planning Rationale Report**

Key themes outlined within this report are as follows:

- The proposed development is consistent with the PPS (2005) in regards to promoting a desirable range and mix of residential uses, maximizing public infrastructure, increasing the efficiency of existing public transit in the area, while facilitating an efficient use of land and resources;
- The proposed development supports the principles and policies of the Growth Plan by intensifying along a regional transit corridor, increasing the viability of existing and planned transit services, reducing auto dependency and would be a natural extension of redevelopment patterns established within the City of Toronto;
- The proposed development is consistent with the Regional Official Plan in supporting growth and development in an effective and efficient manner, while balancing environmental, social and economic factors;
- The proposed development responds to Mississauga Plan by supporting the Urban Form Concept, in developing increased densities in key locations, is compatible in regard to scale and character, provides appropriate built form transition, locates intensification appropriately to take advantage of proximity to community facilities, compatible with the existing community character and conforms to the established criteria for the evaluation of site specific official plan amendments;
- That the Lakeview District Policies of Mississauga Plan are over 10 years old and in need of updating to reflect the changing policy environment in the City and province, noting that the existing designations that apply to the lands are no longer appropriate based upon recently emerging policy direction. The proposal is noted to be consistent with other high density residential development within the Planning District;
- The proposal was compared to the City of Toronto Avenues policies for Lake Shore Boulevard West, noting the general thrust of the policies, evaluative tools implemented by the City of Toronto and scale of development recently approved to the west of the subject lands immediately adjacent to the Long Branch GO Transit Station;
- The proposed building heights are justified on the interpretation that the site represents a gateway to the City, that the site has nodal qualities based in part on the site's proximity to the GO Station;

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- The report also relies on shadow analysis and angular planes to draw conclusions on appropriate building heights;
- The provided analysis also relies in part on the existing buildings at 1515 and 1535 Lakeshore Road East to establish character in regard to building height.

In general, several of the key themes outlined in the applicant's Planning Rationale Report cannot be supported. In response to some of these matters, the following is offered:

- Provincial initiatives are to be read and applied in their entirety and the provided analysis has failed to appropriately consider the role the City of Mississauga has in determining where and how Provincial residential forecasts will be accommodated and the emphasis placed on compatibility and character;
- Thresholds for density to support existing and planned transit service levels as established by the Province, have not been considered as reasonable intensification targets;
- The proposed development and provided analysis does not acknowledge the City Form Structure and general policies of Mississauga Plan which has created a hierarchy for residential intensification and intensity of use in the City. The proposed development exceeds the level of intensification which is appropriate given the hierarchy;
- The subject lands are not a gateway to the City. These lands are the fifth property west of the City border. There are intervening properties that would more appropriately be developed some time in the future as a gateway into the City; and,
- The existing buildings at 1515 and 1535 Lakeshore Road East are not representative of the existing built form in the area in regard to building height. Further, the style in which 1515 and 1535 Lakeshore Road East have been developed benefits from substantial transitional lands which are not present with the subject site. Any comparison in regard to height is not appropriate without consideration of transition, streetscape and impact.



