



Corporate Report

Clerk's Files

Originator's
Files OZ 07/021 W1

DATE: May 26, 2009

TO: Chair and Members of Planning and Development Committee
Meeting Date: June 15, 2009

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Official Plan Amendment and Rezoning Applications
To permit residential and office uses within a converted detached dwelling
1430 Hurontario Street
West side of Hurontario Street, south of Indian Valley Trail
Owner: Kris and Beata Kratiuk
Applicant: Greg Dell and Associates
Bill 51

Public Meeting **Ward 1**

RECOMMENDATION: That the Report dated May 26, 2009, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Residential Low Density I – Special Site 2" to "Residential Low Density I – Special Site 2, as amended" and to change the Zoning from "R2-5" (Detached Dwelling) to "R2-Exception" (Office and Residential), to permit residential and office uses, excluding medical and real estate offices, within a converted detached dwelling under file OZ 07/021 W1, Kris and Beata Kratiuk, 1430 Hurontario Street, be received for information.

BACKGROUND:

The above-noted applications have been circulated for technical comments and a community meeting was held on May 14, 2009.

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

COMMENTS:

Details of the proposal are as follows:

Development Proposal	
Applications submitted:	October 24, 2007 (submitted) January 3, 2008 (deemed complete)
Existing Gross Floor Area:	386.4 m ² (4,159.3 sq. ft.) - Residential 80.2 m ² (863.3 sq. ft.) - Office 466.6 m ² (5,022.6 sq. ft.) - Total
Height:	Two (2) storeys
Lot Coverage:	16%
Total Landscaped Area:	62%
Front Yard Landscaped Area:	51%
Proposed Gross Floor Area:	104.6 m ² (1,125.9 sq. ft.) - Residential 362.0 m ² (3,896.7 sq. ft.) - Office 466.6 m ² (5,022.6 sq. ft.) – Total
Number of units:	One (1)
Anticipated Population:	3 * *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:	3.2 spaces/100 m ² (1,076.42 sq. ft.) GFA for office uses or 12 spaces based on the current concept plan; 1.25 spaces for a dwelling unit in combination with an office (Total requirement of 13 spaces, including 1 space for person with disabilities)

Development Proposal	
Parking Provided:	15 including 2 within existing garage and 1 for person with disabilities
Supporting Documents:	Planning Justification Report Tree Preservation Plan

Site Characteristics	
Frontage:	30.3 m (99.5 ft.)
Depth:	70.9 m (232.6 ft.)
Net Lot Area:	0.21 ha (0.51 ac.)
Existing Use:	Residential and Office uses

Green Development Initiatives

There have been no green development initiatives identified by the applicant at this time.

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

Neighbourhood Context

The subject property is located in the Mineola District on the west side of Hurontario Street, south of Indian Valley Trail. A detached dwelling exists on the site that is being used as a residence and a small financial services office. Information regarding the history of the site is found in Appendix I-1.

Over the last twenty years, many of the existing detached dwellings fronting onto this portion of Hurontario Street have been converted to business, professional and administrative office uses. Despite the conversion to office uses, the properties along this portion of Hurontario Street have continued to maintain a residential character. The large lot sizes and the presence of mature trees and vegetation also contribute to the characteristic of this area. Hurontario Street constitutes a major north-south arterial road in the City.

The surrounding land uses are described as follows:

North: Offices

East: Across Hurontario Street, medical offices

South: Veterinary hospital

West: Detached dwellings

**Mississauga Plan Designation and Policies for Mineola District
(May 5, 2003)**

"Residential Low Density I" which permits detached dwellings to a maximum of 10 units per net residential hectare (4 units per net residential acre). The site is also subject to the "Special Site 2" policies which permit offices in addition to residential uses subject to certain criteria being met. The criteria include:

- ensuring the building maintains a residential appearance which is consistent with the form, design and scale of the surrounding residential area;
- the use must be of a nature and intensity that will have a limited impact on the low density residential character of the area and which results in limited impact on the function of Hurontario Street;
- locating parking exclusively within the front and side yards with a minimal loss of vegetation. However, where such locations result in conflict with City policies, consideration may be given to other locations provided the intent of the policies is maintained;
- to minimize the amount of hard surface area, on-site parking areas should have efficient vehicular circulation and a layout which is suitably screened, preferably with vegetation; and,
- the maximum gross floor area for new or modified buildings should not exceed 420 m² (4,521 sq. ft.), the maximum lot coverage should not exceed 25% and the maximum building height should not exceed two storeys.

The applications are not in conformity with the Special Site 2 policies for the Mineola District as the proposal to permit residential and office uses within a converted detached dwelling exceeds a total Gross Floor Area (GFA) of 420 m² (4,521 sq. ft.).

Official Plan Amendment (OPA) 62 came into force on May 6, 2008 and amended the Special Site 2 policies for the Mineola Planning District. As the subject applications were submitted prior to the new policies coming into effect, the former policies still apply. However, in evaluating the proposal, staff must have regard for the new policies which are outlined in Appendix I-9.

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

Development Concept for Hurontario Street Corridor

Section 4.24.2 of the Mineola District Policies indicates that the conversion of the Hurontario Street frontage residential properties to office or mixed residential and office uses will continue to be subject to policies to maintain the residential character of the street, and enhance the streetscape, recognizing its role as a major corridor and gateway to Port Credit.

Urban Design Policies

Section 4.24.3.2 of the Mineola District Policies state that on lands adjacent to Hurontario Street, the existing mature vegetation, well landscaped appearance and generous setbacks will be maintained to reflect area character. As Hurontario Street is a gateway to the District, as well as Port Credit, consideration should be given to: additional tree planting, a sodded boulevard, a bicycle route and a right-of-way design that is sympathetic to the character of the area.

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 land is suitable for the proposed uses, and compatible with existing and future uses of surrounding lands;
- there is adequate infrastructure and community services to support the proposed development.

Proposed Official Plan Designation and Policies

"Residential Low Density I – Special Site 2, as amended" to permit residential and office uses within a converted detached dwelling with a maximum total GFA of 467 m² (5,027 sq. ft.).

Existing Zoning

"R2-5" (Detached Dwelling) which permits detached dwellings on lots with a minimum frontage of 30.0 m (98.43 ft.).

Proposed Zoning By-law Amendment

"R2 - Exception" (Office and Residential) to permit residential and office uses, excluding medical and real estate office uses to a maximum gross floor area (GFA) of 467 m² (5,027 sq. ft.), with office uses being limited to a maximum GFA of 365 m² (3,929 sq. ft.).

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

	Required Zoning By-law Standard	Proposed Standard
Parking	3.2 spaces/100 m ² (1,076.42 sq. ft.) GFA for office uses 1.25 spaces per unit for a dwelling unit in combination with an office	No change
Minimum depth of landscaped buffer measured from a lot line that is a street line	Nil	7.5 m (24.6 ft.)
Minimum Front Yard Landscaped Open Space	Nil	51%

COMMUNITY ISSUES

A community meeting was held by Ward 1 Councillor Carmen Corbasson on May 14, 2009. The following is a summary of issues raised by the community.

Comment

A question was raised by the property owner of 1424 Hurontario Street, the abutting property to the south, as to the proposed side yard setback to the parking area.

Response

The applicant indicated that the existing parking area abutting the property to the south is proposed to be reconfigured and would be setback a distance of 5.3 m (17.39 ft.) to the side property line.

Comment

A concern was raised regarding whether new lighting or lighting posts would be introduced in the front yard.

Response

The concept plan submitted by the applicant does not indicate that lighting posts are proposed within the front yard or parking area. The City also requires that any proposed lighting be directed entirely onto the site and not infringe upon adjacent properties.

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-5. Based on the comments received and the applicable Mississauga Plan policies the following matters will have to be addressed:

- the identification of any sustainable green technology to be used in the proposed development.

OTHER INFORMATION**Development Requirements**

In conjunction with the proposed development, there are certain other engineering and conservation matters with respect to appropriate curbing, the future oversizing of the storm sewer on Hurontario Street, and on-site storm water management techniques which will need to be addressed and may require the applicant to enter into appropriate agreements with the City.

FINANCIAL IMPACT:

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

CONCLUSION:

Most agency and City department comments have been received and after the public meeting has been held and all issues are resolved, the Planning and Building Department will be in a position to make a recommendation regarding these applications.

ATTACHMENTS:

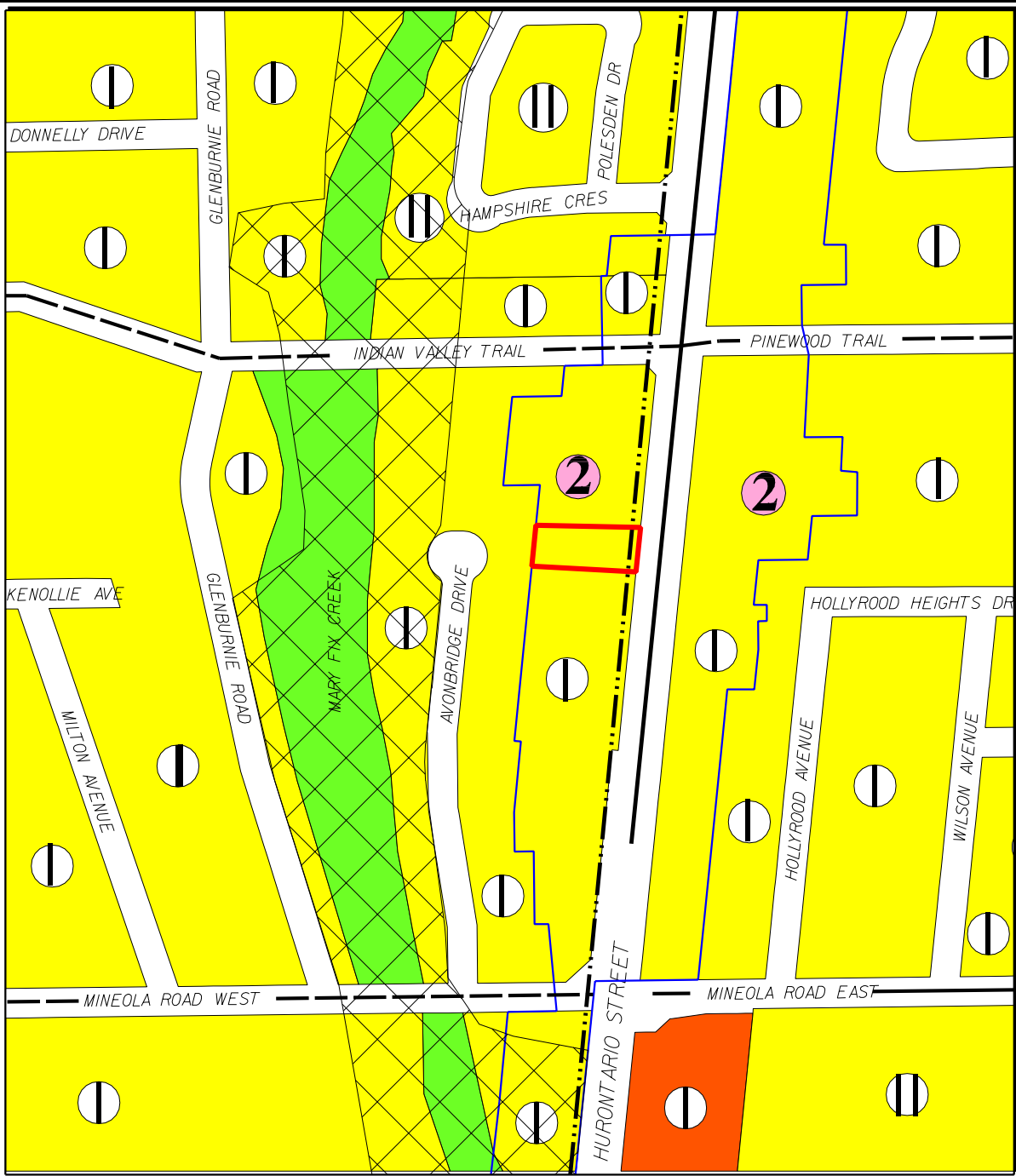
Appendix I-1 - Site History
Appendix I-2 - Excerpt of Mineola District Land Use Map
Appendix I-3 - Excerpt of Existing Land Use Map
Appendix I-4 - Aerial Photograph
Appendix I-5 - Agency Comments
Appendix I-6 - Concept Plan
Appendix I-7 - Photograph
Appendix I-8 - Mineola District Special Site 2 Policies as revised
by OPA 62
Appendix I-9 - General Context Map

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: David Breveglieri, Development Planner

Kris and Beata Kratiuk**File: OZ 07/021 W1****Site History**

- April 5, 1984 – A minor variance application was refused by the Committee of Adjustment under file 'A' 478/83 requesting permission to use a portion of the subject residence as an office;
- August 9, 1984 – A minor variance application was approved under file 'A' 350/84 permitting the establishment a resident chiropractic practice in the subject dwelling being within 800 m (2,624.6 ft.) of an existing medical office for a temporary period of 5 years;
- May 31, 1985 – A Site Plan application was approved under file SP 84/194 W1 permitting the establishment of a resident chiropractic clinic;
- September 28, 1989 – A minor variance application was approved under file 'A' 600/89 permitting the continuation of the resident chiropractic practice previously approved under file 'A' 350/84 with the decision made personal to the operator and with no time restriction;
- April 4, 2002 – A minor variance application was approved under file 'A' 112/02 permitting an office use within the subject residence for a temporary period of 2 years subject to the office being no larger than 100 m² (1,076 sq. ft.), there being a maximum of 4 employees, and the dwelling being the primary residence of the applicant;
- June 3, 2004 – A minor variance application was approved under file 'A' 245/04 permitting the continuation of an office use within the subject residence for a temporary period of 1 year (to June 30, 2005) subject to the conditions as previously imposed and to the applicant submitting a rezoning application;
- June 20, 2007 – Zoning By-law 0225-2007 came into force except for those sites which were appealed. As no appeals were filed, the provisions of the new By-law apply. The subject lands are zoned "R2-5" (Detached Dwelling);
- May 6, 2008 – Official Plan Amendment (OPA) 62 came into force which revised the Special Site 2 policies for the Mineola District.



PART OF MINEOLA DISTRICT LAND USE MAP
MINEOLA DISTRICT POLICIES OF MISSISSAUGA PLAN

- | | | | |
|--|--------------------------------|--|------------------------------------|
| | Residential – Low Density I | | Provincial Highway and Interchange |
| | Residential – Low Density II | | Arterial |
| | Residential – Medium Density I | | Major Collector |
| | Convenience Commercial | | Major Collector (Scenic Route) |
| | Motor Vehicle Commercial | | Minor Collector |
| | Office | | Local Road |
| | Open Space | | Existing Commuter Rail |
| | Greenbelt | | GO Transit Station |
| | Utility | | Major Transit Corridor |

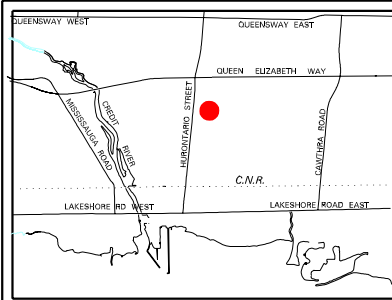
LAND USE LEGEND

- Regulatory Floodplain
- Planning District
- Special Site Areas
(See Special Site Policies)

SUBJECT LANDS



SUBJECT:
BEATA AND KRIS KRATIU



FILE NO:
OZ 07.021 W1

DWG. NO:
07021L

SCALE:
NTS

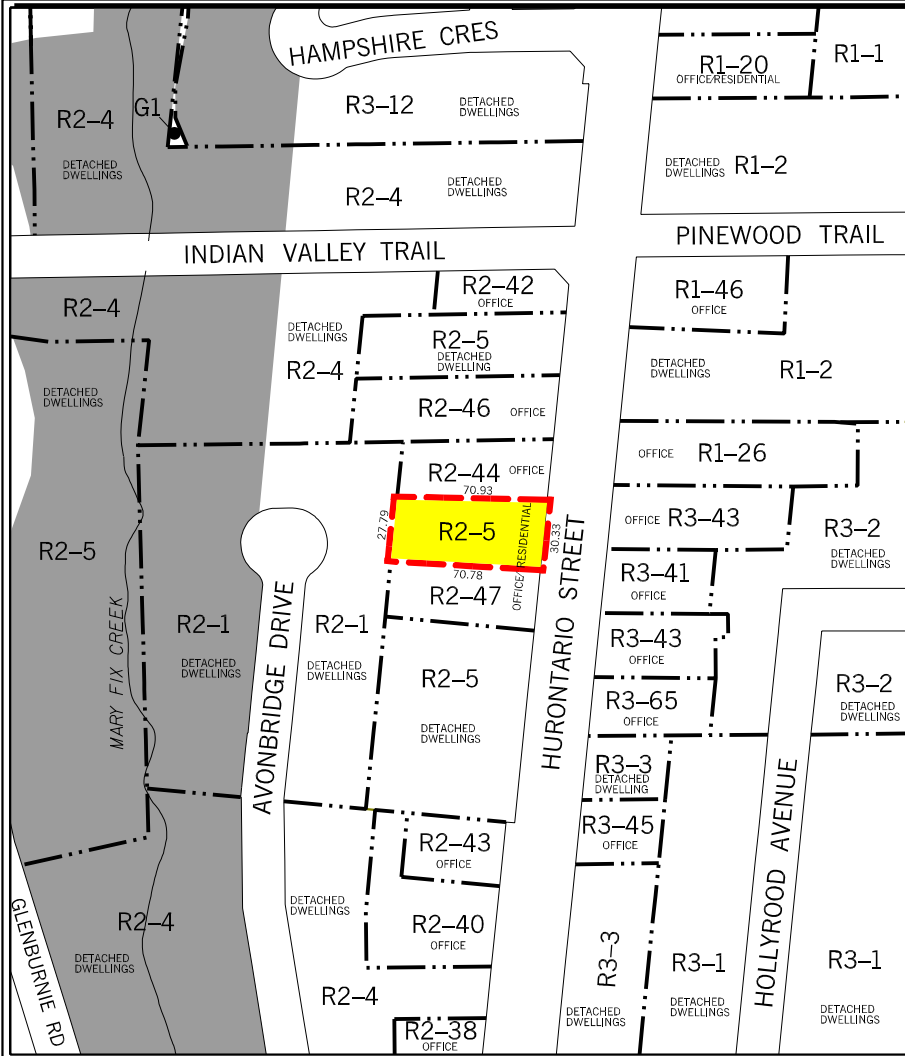
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DRAWN BY:
K. PROKOP



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T&W, Geomatics

APPENDIX I-2



LEGEND:



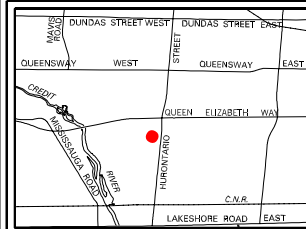
PROPOSED OFFICIAL PLAN AMENDMENT FROM 'RESIDENTIAL- LOW DENSITY 1- SPECIAL SITE 2' TO 'RESIDENTIAL- LOW DENSITY 1- SPECIAL SITE 2, AS AMENDED' AND PROPOSED REZONING FROM 'R2-5' (DETACHED DWELLING) TO 'R2-EXCEPTION' (RESIDENTIAL AND OFFICE) TO PERMIT RESIDENTIAL AND OFFICE USES, EXCLUDING MEDICAL AND REAL ESTATE OFFICE.

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



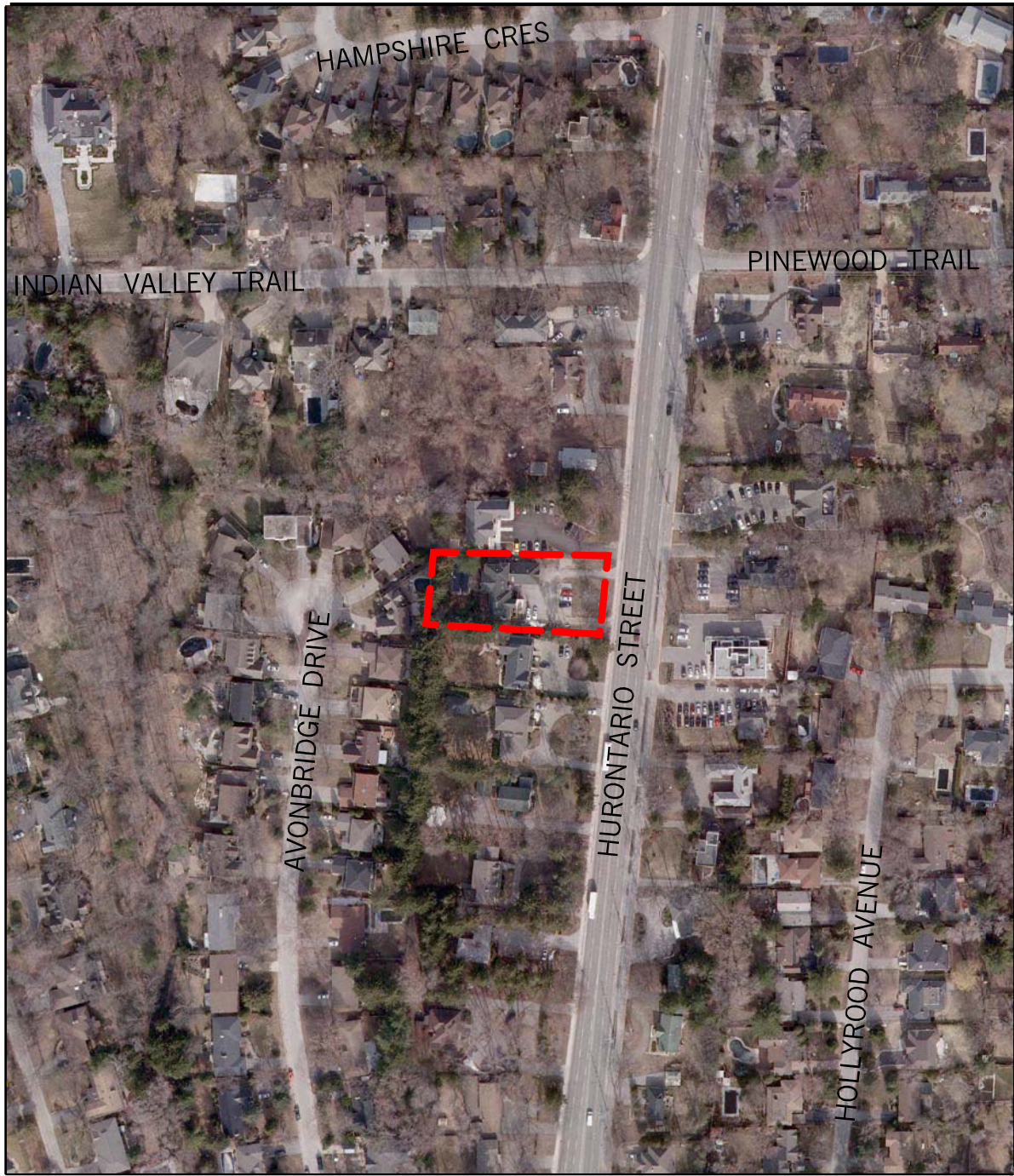
SUBJECT:

BEATA AND KRIS KRATIUK



FILE NO:	
OZ 07021 W1	
DWG. NO:	
07021R	
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2009 06 15	
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K. PROKOP	

APPENDIX I-3



LEGEND:



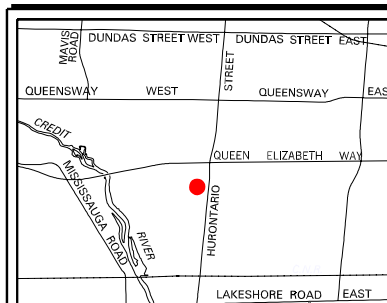
SUBJECT LANDS

DATE OF AERIAL PHOTO: 2009 03



SUBJECT:

BEATA AND KRIS KRATIUK



FILE NO:

OZ 07/021 W1

DWG. NO:

07021A

SCALE:

1:2500

PDC DATE:

2009 06 15

DRAWN BY:

K. PROKOP

MISSISSAUGA
Planning and Building

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T&W, Geomatics

APPENDIX I-4

Kris and Beata Kratiuk**File: OZ 07/021 W1****Agency Comments**

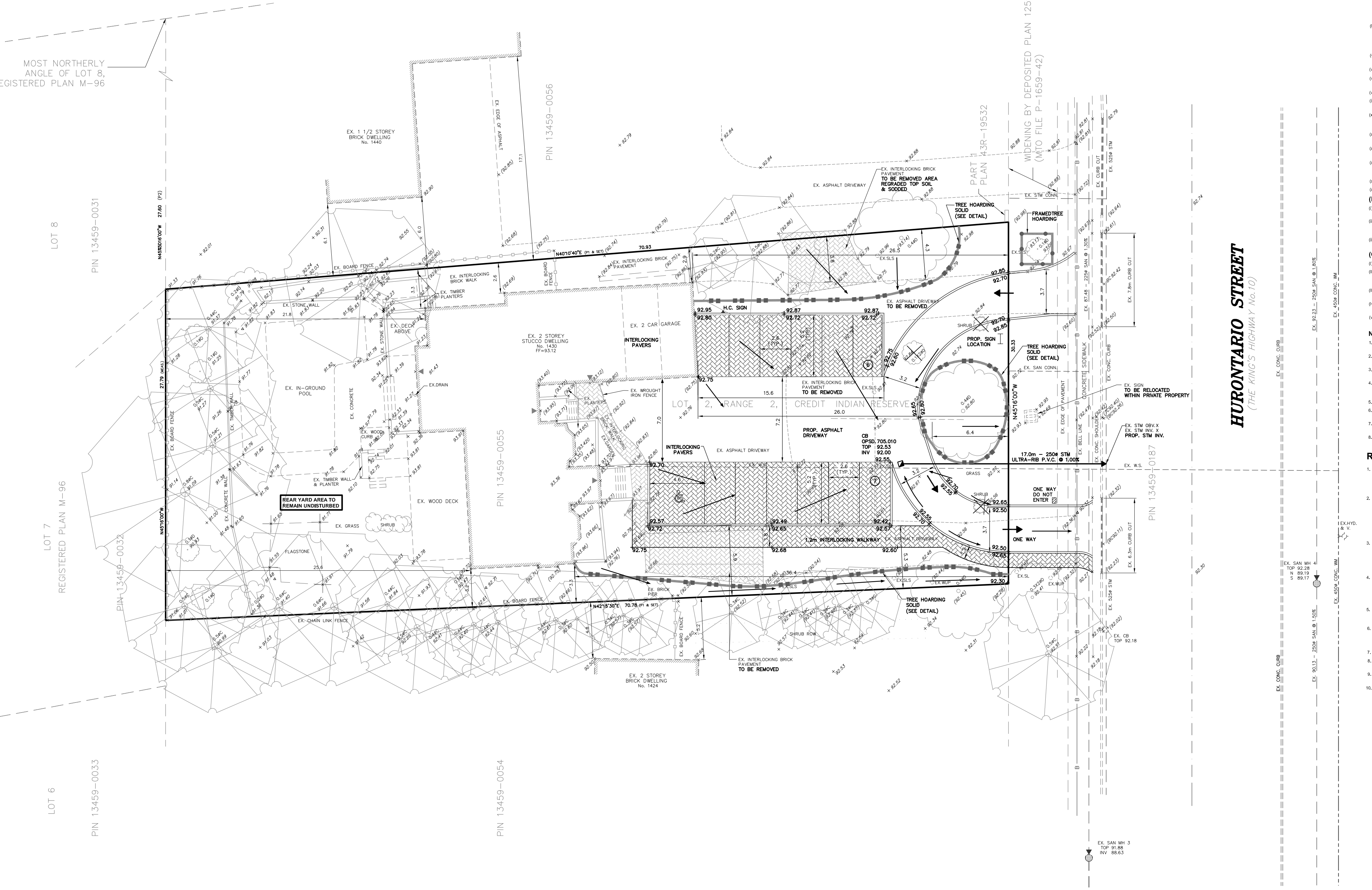
The following is a summary of comments from agencies and departments regarding the applications.

Agency / Comment Date	Comment
Region of Peel (April 6, 2009)	<p>The Region has no objection to the approval of the subject applications and provides the following comments:</p> <p>An existing 450 mm (18 in.) diameter watermain and a 250 mm (10 in.) diameter sanitary sewer are located on Hurontario Street.</p> <p>The subject land is not located within the vicinity of a landfill site.</p> <p>The applicant is advised that curb side collection will be provided by the Region of Peel. Mixed use buildings found in residential areas will be subject to the Region's current bag limit. Curb side collection will be provided for the residential waste, while a private hauler will be required for the business waste. Residential waste must be separated from business waste, and must be clearly identifiable.</p>
City Community Services Department – Planning, Development and Business Services Division (April 3, 2009)	In the event that the applications are approved, this Department will require payment for street tree contributions.
City Transportation and Works Department (February 28, 2009)	<p>The applicant has been requested to revise the Site Grading and Servicing Plan to address modifications to the vehicular/pedestrian access arrangement proposed within the municipal boulevard. In addition, the applicant has been requested to provide this Department with an analysis of the existing Hurontario Street storm sewer.</p> <p>Further detailed comments/conditions will be provided prior to the Supplementary Meeting pending receipt and review of the foregoing.</p>

Kris and Beata Kratiuk

File: OZ 07/021 W1

Agency / Comment Date	Comment
Mississauga Transit (April 5, 2009)	<p>This site is currently serviced by Mississauga Transit Routes 202, 19, and 19A on Hurontario Street; and Route 8 on Mineola Road.</p> <p>Hurontario Street has been identified as having the potential for higher order transit.</p>
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>Community Services Department – Fire and Emergency Services Division Economic Development Office Enbridge Gas Distribution Inc. Enersource Hydro Mississauga Hydro One Ministry of Transportation Canada Post Corporation</p>
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <p>Peel Regional Police Rogers Cable Bell Canada</p>





Kris and Beata Kratiuk

File: OZ 07/021 W1

Mineola District Special Site 2 Policies as revised by OPA 62

Notwithstanding the provisions of the Residential Low Density I designation, the following additional policies will apply:

- a. The following uses will also be permitted:
 - offices, provided that medical offices are used for the consultation, examination or therapeutical treatment by a physician, dentist, drugless practitioner or health professional licensed by the Province of Ontario. Medical offices may not include hospitals or other accessory medical uses such as, laboratories, diagnostic facilities for medical and dental purposes, a drug and optical dispensary, nor a medical supply and equipment store;
 - a detached dwelling containing a maximum of one dwelling unit in combination with office uses.
- b. retail commercial uses, which include personal service uses, will not be permitted as a primary or as an accessory use.
- c. all buildings used for office or residential office purposes, whether new or modified, will have a residential appearance which is compatible with the form, design, and scale of the surrounding residential area. All development will be designed so that it does not negatively impact abutting properties used for residential purposes, in terms of light, privacy, noise and rear yard amenity.
- d. the use must be of a nature and intensity that results in a parking demand which does not negatively impact the function of Hurontario Street nor abutting local roads. In this regard, applicants for rezoning will be required to demonstrate, through the submission of traffic studies, parking justification studies and business operation information, that the proposed use is suitable for its location. Developments which result in a reduced parking demand are preferred.
- e. all office-related parking will be accommodated within the front and side yards only with a minimal loss of vegetation or in underground facilities. Rear yard parking, with the exception of parking for residential dwellings, is not permitted. Surface parking areas are permitted to be constructed of permeable materials in order to achieve sustainable and urban design objectives and reduce impacts on drainage and grading systems. The portion of the access driveway within the road allowance is to be constructed of hard surface pavement.
- f. where appropriate, mutual driveway access will be permitted between abutting property owners provided this arrangement is registered on title.

Kris and Beata Kratiuk**File: OZ 07/021 W1****Mineola District Special Site 2 Policies as revised by OPA 62**

- g. for developments located at intersections, access to the minor streets will be discouraged, and where technically feasible, access will be permitted on Hurontario Street.
- h. street frontages are required to be enhanced with landscaping to reflect Hurontario Street's role as a gateway to the Mineola and Port Credit Districts. On-site parking areas should not dominate the streetscape and are required to be appropriately screened by vegetation and landscape treatments which are complementary to the character of the area. In this regard the following will also apply:
 - a minimum of 40% of the front yard of interior lots, will be landscaped open space. Landscaped open space may include pedestrian walkways but will exclude paved parking areas;
 - corner lots will provide a total minimum landscaped open space area of 40% of the lot;
 - a landscape buffer ranging from 4.5 m (14.8 ft.) to 7.5 m (24.6 ft.) in depth will be provided along the Hurontario Street frontage; and
 - a minimum landscape buffer of 4.5 m (14.8 ft.) in depth will be provided along side street frontages adjacent to parking areas.
- i. New or modified office or residential-office buildings will not exceed:
 - 420 m² (4,521. sq. ft.) Gross Floor Area (GFA);
 - a maximum lot coverage of 25%;
 - a maximum building height of two storeys and a 10.7 m (35.1 ft.) mean height level between the eaves and the ridge of a sloped roof or 7.5 m (24.6 ft.) to the highest point of the surface of a flat roof.
- j. The following yards are required for office or residential-office buildings:
 - minimum 1.8 m (5.9 ft.) side yard for a one storey building;
 - minimum 2.4 m (7.8 ft.) side yard for a two storey building;
 - minimum 7.5 m (24.6 ft.) rear yard;
 - maximum front yard equivalent to 50% of the lot depth.

APPENDIX 1-9

