



Corporate Report

Clerk's Files

Originator's
Files OZ 08/019 W1

DATE: August 18, 2009

TO: Chair and Members of Planning and Development Committee
Meeting Date: September 8, 2009

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Rezoning Application
To permit the existing dwelling to be used as a duplex dwelling
12 Elmwood Avenue North
North of Lakeshore Road East, west side of
Elmwood Avenue North
Owner: Nigel and Phyllis Briggs
Applicant: John D. Rogers and Associates Inc.
Bill 51

Public Meeting **Ward 1**

RECOMMENDATION: That the Report dated August 18, 2009, from the Commissioner of Planning and Building regarding the application to change the Zoning from "R15-2" (Detached Dwelling or Retirement Dwelling) to "RM7" (Detached, Semi-Detached, Duplex, Triplex and Horizontal Multiple Dwellings with 4 to 6 Dwelling Units), to permit the existing dwelling to be used as a duplex dwelling under file OZ 08/019 W1, Nigel and Phyllis Briggs, 12 Elmwood Avenue North, be received for information.

BACKGROUND: The subject application proposes to permit the existing dwelling to be used as a duplex dwelling. No physical alterations to the site or the structure are proposed as only interior alterations are necessary.

The application has been circulated for technical comments and a community meeting has not been held.

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

COMMENTS:

Details of the proposal are as follows:

Development Proposal	
Application submitted:	November 28, 2008 (submitted) January 30, 2009 (deemed complete)
Existing Gross Floor Area:	192 m ² (2,067 sq. ft.)
Height:	Two storeys, approximately 9.8 m (32.1 ft.)
Lot Coverage:	17.4%
Landscaped Area:	65.4%
Number of units:	2
Anticipated Population:	2.5 per unit* *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 spaces (1.25 spaces per unit)
Parking Provided:	4 spaces
Supporting Document:	Planning Justification Report

Site Characteristics	
Frontage:	15.2 m (50 ft.)
Depth:	41.9 m (137.5 ft.)
Net Lot Area:	0.06 ha (0.15 ac.)
Existing Use:	The dwelling was previously used as a retirement dwelling from 1984 to 2008

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 Port Credit District in an established residential neighbourhood just north of Lakeshore Road East and east of Hurontario Street. The surrounding area consists of predominantly detached dwellings but also contains semi-detached, duplex, triplex, and horizontal multiple dwellings. The subject site is occupied by a two-storey dwelling that had been used as a retirement dwelling from 1984 until 2008. The dwelling was originally constructed in the late 1950's and was used as either a duplex or triplex until 1984. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

North: Triplex dwelling

East: Detached dwellings

South: Detached dwelling and Elmwood Plaza

West: Detached dwellings

Current Mississauga Plan Designation and Policies for Port Credit District (May 5, 2003)

"Residential Low Density II" which permits detached, semi-detached, duplex, triplex and street townhouse dwellings at a density of 13-30 units per net residential hectare (5-12 units per net residential acre). The application is in conformity with the land use designations and no official plan amendments are proposed.

Existing Zoning

"R15-2" (Detached Dwelling or Retirement Dwelling) which permits a detached dwelling or a retirement dwelling with a maximum of seven (7) retirement dwelling units and a minimum of five (5) parking spaces required for a retirement dwelling.

Proposed Zoning By-law Amendment

"RM7" (Detached, Semi-Detached, Duplex, Triplex and Horizontal Multiple Dwellings with 4 to 6 Dwelling Units) to permit a duplex dwelling. It is noted that all residential properties within the area are subject to the "RM7" zone provisions and that the proposal will bring the subject property into alignment with the neighbourhood.

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

	Required Zoning By-law Standard	Proposed Standard
Parking	1.25 spaces per unit	No change
Landscaped Open Space	25% - percentage of total lot area	No change
	50% - percentage of front yard area	No change
Minimum Front Yard Setback	6.0 m (19.7 ft.)	No change
Minimum Rear Yard Setback	7.5 m (24.6 ft.)	No change
Minimum Interior Side Yard Setback - Interior Lot	1.2 m (3.9 ft.) on one side of the dwelling and 3.0 m (9.8 ft.) on the other side of the dwelling	No change Existing building is legal non-conforming with a 0.6 m (2.0 ft.) setback on the north side and a 6.74m (22.1 ft.) setback on the south side

COMMUNITY ISSUES

No community meetings were held and no written comments were received by the Planning and Building Department.

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-7 and school accommodation information is contained in Appendix I-8. Based on the comments received and the applicable Mississauga Plan policies it is not anticipated that additional matters will need to be addressed.

OTHER INFORMATION**Development Requirements**

Given that no new development is proposed, there are no engineering and conservation matters which will be required to address through any agreements.

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 all issues are resolved, the Planning and Building Department will be in a position to make a recommendation regarding this application.

ATTACHMENTS: Appendix I-1 - Site History
Appendix I-2 - Aerial Photograph
Appendix I-3 - Excerpt of Port Credit District Land Use Map
Appendix I-4 - Excerpt of Existing Land Use Map
Appendix I-5 - Concept Plan
Appendix I-6 – Elevations

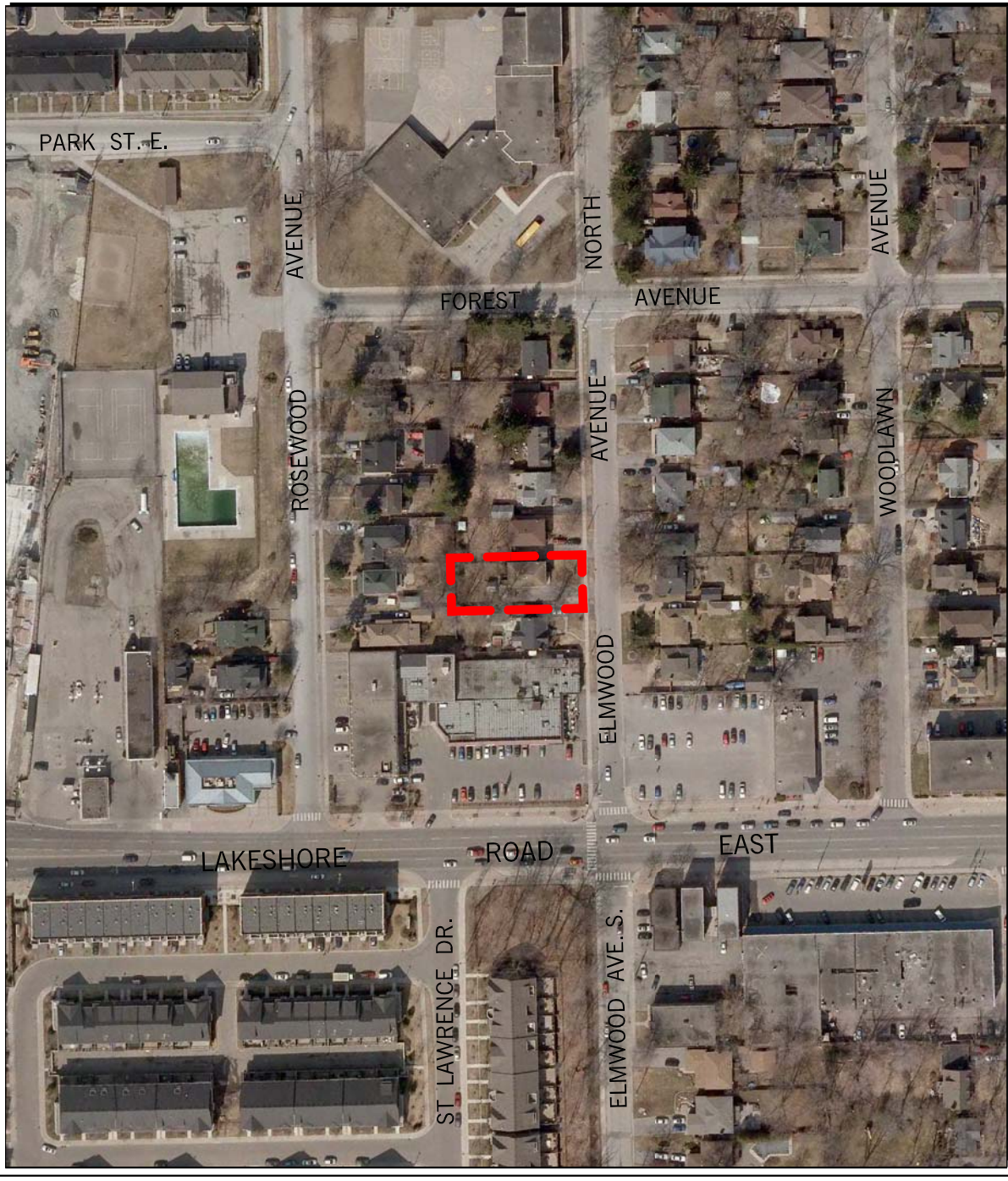
Appendix I-7 - Agency Comments
Appendix I-8 - School Accommodation
Appendix I-9 - General Context Map

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: David Breveglieri, Development Planner

Nigel and Phyllis Briggs**File: OZ 08/019 W1****Site History**

- August 30, 1984 - A minor variance application ('A' 371/84) was submitted to the Committee of Adjustment to obtain approval to operate a rest home for a maximum of eight (8) senior citizens as well as to regularize the northerly side yard setback. The minor variance was approved for a temporary period of five (5) years.
- December 10, 1987 - A minor variance application ('A' 680/87) was submitted to the Committee of Adjustment to obtain approval to operate a rest home for a maximum of nine (9) senior citizens as well as to permit the dwelling to remain having a decreased northerly side yard setback. The minor variance was granted for a further temporary period of five (5) years to expire and terminate on or before December 31, 1992.
- January 7, 1993 - A minor variance application ('A' 008/93) was submitted to the Committee of Adjustment to obtain approval to continue to operate a rest home for a maximum of nine (9) senior citizens. The minor variance was granted for a further temporary period of five (5) years to expire and terminate on or before January 31, 1998.
- July 20, 1994 - A rezoning application was received by the Planning and Building Department under file OZ 032/94 W1, to permit a detached dwelling or a retirement dwelling with a maximum of seven (7) retirement dwelling units and a minimum of 5 parking spaces. The application received approval on July 12, 1995.
- June 20, 2007 – Zoning By-law 0225-2007 came into force except for those sites which were being appealed. As no appeals have been filed, the provisions of the new By-law applies. The subject lands are zoned "R15-2" (Detached Dwelling or Retirement Dwelling).



LEGEND:



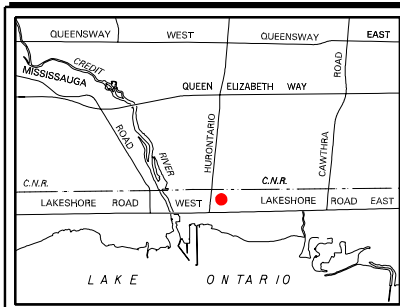
SUBJECT LANDS

DATE OF AERIAL PHOTO: APRIL 2009



SUBJECT:

NIGEL & PHYLLIS BRIGGS



FILE NO:
OZ 08019 W1

DWG. NO:
08019A

SCALE:
1:2000

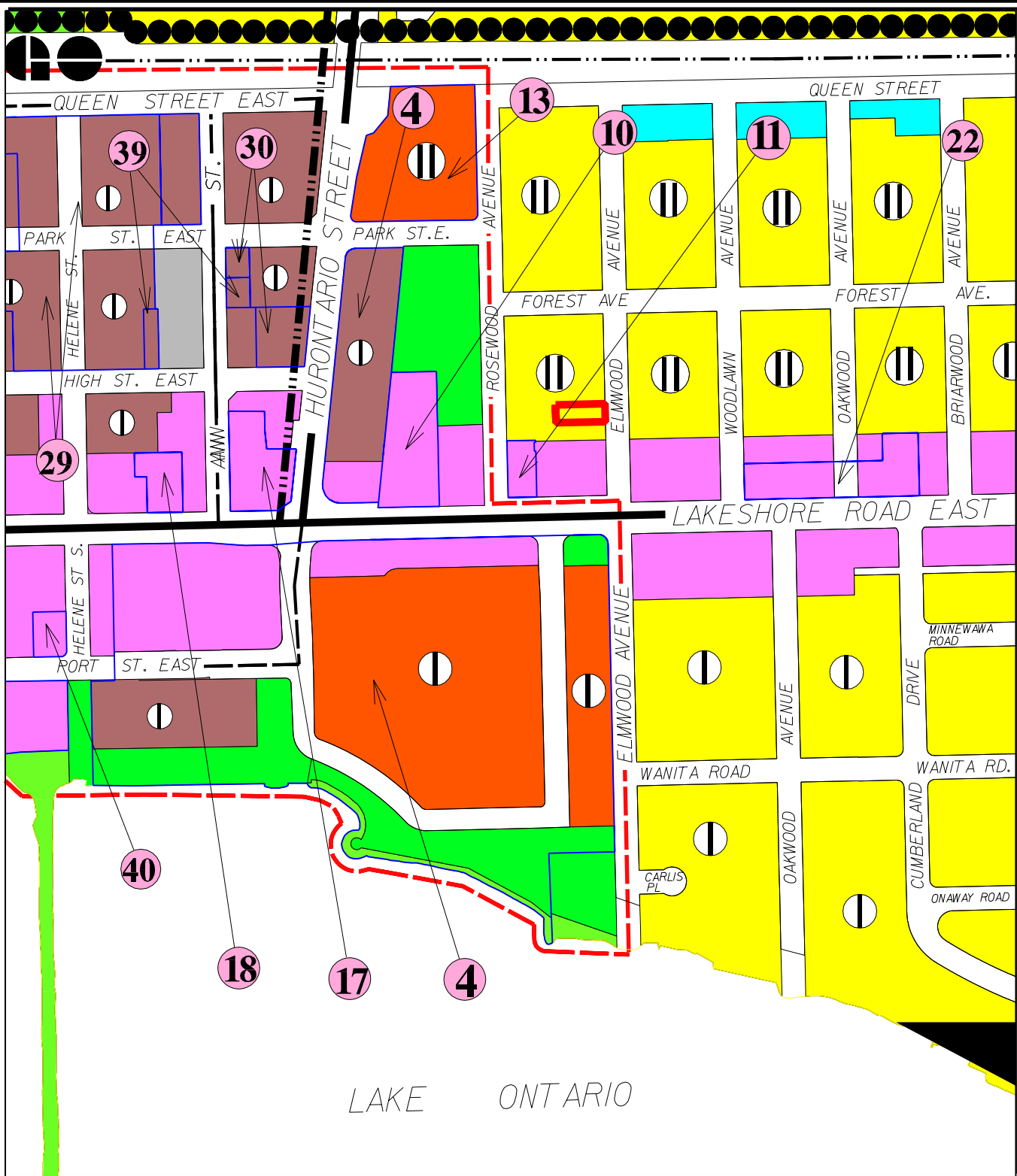
PDC DATE:
2009 09 08

DRAWN BY:
B. KRUGER



Produced by
T&W, Geomatics

APPENDIX I-2



**PART OF PORT CREDIT DISTRICT LAND USE MAP
PORT CREDIT DISTRICT POLICIES OF MISSISSAUGA PLAN**

LAND USE DESIGNATIONS

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

TRANSPORTATION LEGEND

- Arterial
- Major Collector
- Major Collector (Scenic Route)
- Minor Collector
- Local Road
- Existing Commuter Rail
- GO Transit Station
- Major Transit Corridor
- Planning District

LAND USE LEGEND

- Node Boundary
- Cem Cemetery
- Heritage Conservation District
- Special Site Areas (See Special Site Policies)

MISSISSAUGA PLAN

SUBJECT LANDS

SUBJECT:
NIGEL & PHYLLIS BRIGGS

FILE NO:
OZ 08/019 W1

DWG. NO:
08019L

SCALE:
1:5000

PDC DATE:
2009 09 08

DRAWN BY:
B. KRUGER

APPENDIX I-3



LEGEND:



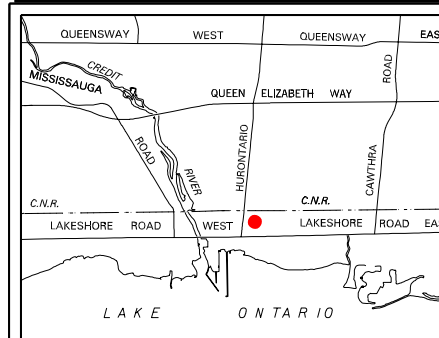
PROPOSED REZONING FROM "R15-2" (DETACHED DWELLING OR RETIREMENT DWELLING) TO "RM7" (DETACHED, SEMI-DETACHED, DUPLEX, TRIPLEX AND HORIZONTAL MULTIPLE DWELLINGS WITH 4 TO 6 UNITS) TO PERMIT THE EXISTING BUILDING TO BE USED AS A DUPLEX DWELLING.

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



SUBJECT:

NIGEL & PHYLLIS BRIGGS



FILE NO:

OZ 08019 W1

DWG. NO:

08019R

SCALE:

1:2000

PDC DATE:

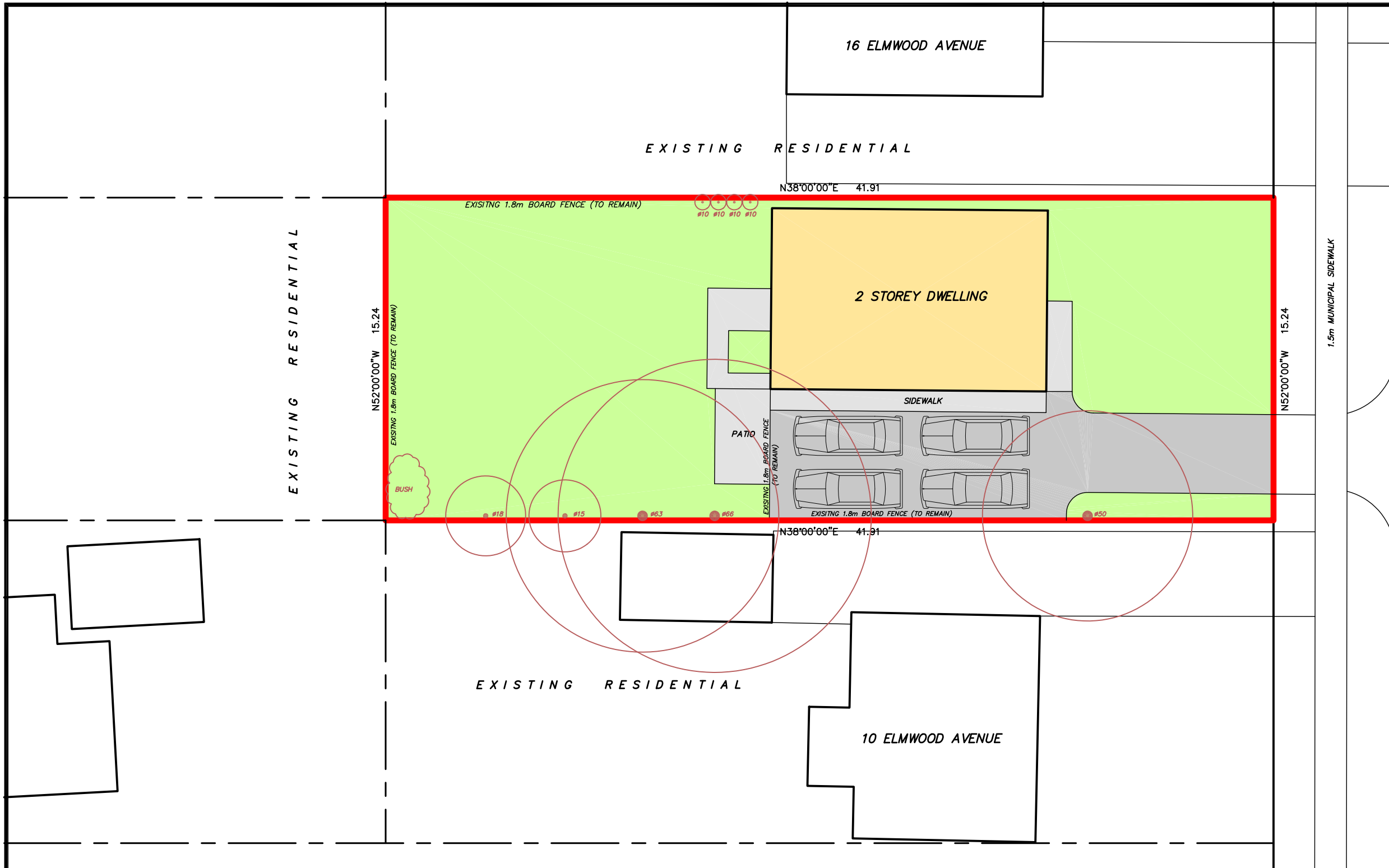
2009 09 08

DRAWN BY:

B. KRUGER

APPENDIX 1-4

ELMWOOD AVENUE



CONCEPT PLAN

LOT 45, REGISTERED PLAN F-12
CITY OF MISSISSAUGA, REGION OF PEEL
12 ELMWOOD AVENUE

SITE AREA - 639 m² (0.158 ac.)
BUILDING GFA - 192 m² (2,067 ft.²)
BUILDING COVERAGE - 111 m² (17.4%)
LANDSCAPE AREA - 418 m² (65.4%)
PAVED AREA - 110 m² (17.2%)



SCALE 1:200
MAY 25, 2009

JOHN D. ROGERS & ASSOCIATES INC.
Planners
Project Management
Land Development Consultants
34 Thomas Street, Mississauga, ON L5M 1Y5
Tel 905.812.3900 Fax 905.812.2770 e-mail: tgrinyer@jdrplan.com



NOTICE: RE:
AN APPLICATION
THE CITY OF
A DUPLEX
THE EXIST
Owner: Nigel R
Agent: John D
For further info
Department (36

Nigel and Phyllis Briggs

File: OZ 08/019 W1

Agency Comments

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

Agency / Comment Date	Comment
Region of Peel (July 22, 2009)	<p>The applicant is advised that existing services can be utilized. An existing 250 mm (10 in.) diameter watermain and 250 mm (10 in.) sanitary sewer are located on Elmwood Avenue North.</p> <p>The subject land is not located within the vicinity of a landfill site. The applicant is advised that curb side collection will be provided by the Region of Peel.</p>
Dufferin-Peel Catholic District School Board and the Peel District School Board (July 22, 2009 and July 22, 2009)	<p>In comments, dated July 22, 2009, both School Boards responded that they are satisfied with the current provision of educational facilities for the catchment area and, as such, the school accommodation condition as required by City of Mississauga Council Resolution 152-98 pertaining to satisfactory arrangements regarding the adequate provision and distribution of educational facilities need not be applied for this development application.</p> <p>In addition, if approved, both School Boards also require that warning clauses with respect to temporary school accommodation and transportation arrangements be included in the Development and/or Servicing Agreement.</p>
City Community Services Department – Planning, Development and Business Services Division (July 24, 2009)	<p>In the event that the application is approved, this Department indicated that prior to the issuance of a building permit, the requirement for cash-in-lieu for park or other public recreational purposes 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, will be reviewed.</p>
City Community Services Department – Fire and	<p>This Department has reviewed the application from an emergency response perspective and has no concerns;</p>

Nigel and Phyllis Briggs

File: OZ 08/019 W1

Agency / Comment Date	Comment
Emergency Services Division (July 23, 2009)	emergency response time to the site and water supply available are acceptable.
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>City Transportation and Works Department Bell Canada Development Services, Planning and Building Department Enbridge Gas Distribution Inc. Enersource Hydro Mississauga</p>
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <p>Canada Post CN Rail Conseil Scolaire de District Catholique Centre-Sud Conseil Scolaire de District Centre-Sud-Ouest French District Catholic School Board GO Transit Realty Services, Corporate Services Department Rogers Cable</p>

Nigel and Phyllis Briggs

File: OZ 08/019 W1

School Accommodation

The Peel District School Board	The Dufferin-Peel Catholic District School Board
<ul style="list-style-type: none"> Student Yield: <ul style="list-style-type: none"> 1 Kindergarten to Grade 6 0 Grade 7 to Grade 8 0 Grade 9 to Grade 12 School Accommodation: <ul style="list-style-type: none"> Forest Avenue Public School <ul style="list-style-type: none"> Enrolment: 180 Capacity: 227 Portables: 0 Riverside Public School <ul style="list-style-type: none"> Enrolment: 307 Capacity: 480 Portables: 0 Port Credit Secondary School <ul style="list-style-type: none"> Enrolment: 1,128 Capacity: 1,203 Portables: 0 	<ul style="list-style-type: none"> Student Yield: <ul style="list-style-type: none"> 1 Junior Kindergarten to Grade 8 1 Grade 9 to Grade 12/OAC School Accommodation: <ul style="list-style-type: none"> St. Dominic <ul style="list-style-type: none"> Enrolment: 230 Capacity: 254 Portables: 0 St. Paul Secondary School <ul style="list-style-type: none"> Enrolment: 808 Capacity: 807 Portables: 0

APPENDIX I-9

