



Corporate Report

Clerk's Files

Originator's
Files OZ 09/006 W11

PDC NOV 15 2010

DATE: October 26, 2010

TO: Chair and Members of Planning and Development Committee
Meeting Date: November 15, 2010

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Rezoning Application
To permit an office use within the existing residential dwelling
302 Queen Street South
West side of Queen Street South, south of Princess Street
Owner: Pardev Holdings Inc.
Applicant: David Brown Associates
Bill 51

Public Meeting **Ward 11**

RECOMMENDATION: That the Report dated October 26, 2010, from the Commissioner of Planning and Building regarding the application to change the Zoning from "R3" (Detached Dwellings – Typical Lots) to "R3 - Exception" (Detached Dwellings – Typical Lots), to permit an office use within the existing residential dwelling, under file OZ 09/006 W11, Pardev Holdings Inc., 302 Queen Street South, west side of Queen Street South, south of Princess Street, be received for information.

BACKGROUND: The above-noted application has been circulated for technical comments and a community meeting has been held.

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

COMMENTS:

The application is proposing to convert the existing residential dwelling to a business office use. The proposed dwelling conversion would still maintain the potential for a residential home in the future.

Details of the proposal are as follows:

Development Proposal	
Application submitted:	May 13, 2009 (received) November 4, 2009 (deemed complete)
Existing Use:	Residential Dwelling – converted to an office use prior to Council consideration of the rezoning application
Height:	Two storeys
Lot Coverage:	6.5%
Landscaped Area:	68%
Existing Gross Floor Area:	197.5 m ² (2,126 sq. ft.) No new GFA is being proposed
Parking Required:	6 spaces
Parking Provided:	10 spaces
Supporting Documents:	Planning Justification Letter Arborist Letter and Tree Preservation Plan Acoustical Feasibility Study Traffic Impact Study

Site Characteristics	
Frontage:	20.17 m (66.17 ft.)
Depth:	101.97 m (334.55 ft.)
Net Lot Area:	0.21 ha (0.51 ac.)
Existing Use:	Detached dwelling known as the Bell Residence, listed on the City's Heritage Inventory due to its location within the Streetsville Core Cultural Landscape but not designated as a heritage dwelling.

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

Neighbourhood Context

This portion of Streetsville is characterized by detached dwellings on large lots. Several of the heritage buildings within the surrounding area have been converted to retail commercial and office uses. The subject property is located within the southern portion of the Streetsville node and forms part of a cultural heritage landscape.

Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

- North: Detached dwellings and mainstreet commercial businesses north towards Thomas Street. Along Princess Street there are detached dwellings and a two storey, 6 unit apartment building and a three storey, 11 unit apartment building
- East: St. Andrew's Presbyterian Church and cemetery are directly across the street on Queen Street South
- South: Detached dwellings and the Princess Mews condominium homes
- West: Detached dwellings and the St. Lawrence & Hudson Railway

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

"Residential – Low Density I" which permits detached dwellings to a maximum density of 17 units per net residential hectare (7 units per net residential acre). The property is also subject to the Special Site 3 provisions which, in addition to the uses permitted by the residential designation, allow the lands which front onto Queen Street South to be used for offices, subject to the following:

- a. Any office conversion should maintain a residential appearance in keeping with the existing scale, materials,

and character of the existing dwellings in the immediate area. The existing houses should be preserved if at all possible, while the interior floor plan may be altered for office use;

- b. Any additions and alterations of existing buildings should be sensitive to the existing vernacular and heritage village theme, and should be largely confined to the rear of the property;
- c. Any additions, alteration, conversion or redevelopment should maintain the existing front yard setback, with the front yard used for landscaping;
- d. Sufficient on-site parking, which will consist of only surface parking, as required by the Zoning By-law, should be provided in the rear yard only at grade without removal of existing trees, except at the discretion of the City arborist;
- e. Vehicular entrances should be combined to minimize the number of access points on Queen Street South;
- f. Minimal signage will be permitted. The design of such signage and external lighting should be compatible with the residential character of the area;
- g. Existing lot sizes should be retained;
- h. Rear yard drainage will be provided to the satisfaction of the City.

The application is in conformity with the land use designation and no official plan amendments are proposed.

There are other policies in the Official Plan which also are applicable in the review of this application including:

Urban Design Policies for the Streetsville Planning District

Community Identity and Historic Character

Development shall be compatible and enhance the village character of Streetsville. Alterations to heritage structures, including building repairs and additions, and/or alterations to existing vegetation which is part of the cultural heritage landscape, will be in keeping with the original character of the heritage resources to be preserved.

Mississauga Official Plan (new Official Plan)

Mississauga Official Plan (new Official Plan) was adopted by City Council on September 29, 2010. Until the new Official Plan is approved by the Region of Peel and comes into force, Mississauga Plan (existing Official Plan) continues to be in effect. While the existing Official Plan is the plan of record against which the application is being reviewed, regard should also be given to the new Official Plan. Under the new Official Plan, the subject lands are designated "Residential – Low Density I". The proposed "R3 - Exception" (Detached Dwellings – Typical Lots) conforms with the land use designation contained in the new Official Plan and associated policies.

Existing Zoning

"R3" (Detached Dwellings – Typical Lots), which permits detached dwellings with a minimum lot area of 550 m² (5,920 sq. ft.) and a minimum lot frontage of 15.0 m (49.2 ft.) for interior lots.

Proposed Zoning By-law Amendment

"R3-Exception" (Detached Dwellings – Typical Lots), to permit office uses in addition to the existing residential uses permitted.

As part of the rezoning, the applicant is proposing that the following exceptions be applied in order to recognize the existing setbacks and the reduced driveway width:

	Required Zoning By-law Standard	Proposed Standard
Driveway Width	6.0 m	5.5 m
Minimum Front Yard Setback	7.5 m	4.2 m
Minimum Side Yard Setback	1.81 m	1.66 m
Separation distance from a Side Lot Line to a Driveway	0.61 m	0.5 m

COMMUNITY ISSUES

A community meeting was held by Ward 11 Councillor, George Carlson on August 19, 2010. An issue was raised regarding the drainage on site. Drainage details are to be provided by the applicant indicating how increased flows from the increased hard surface areas will be self contained and discharged.

Planning and Building staff are in receipt of an email expressing concerns for the number of cars being parked in front of the dwelling and the potential for this to set a precedent. Another letter indicated that the changes within Streetsville will keep the roads safe, clean and with as little crime as possible. A number of letters have also been submitted in support of the application and for improvements that have been made to the property.

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-7. 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;
- a drainage proposal is to be provided to indicate how the flows from the increased hard surface areas will be contained and discharged;
- a site plan and elevations have been submitted under file SP 09/063 W11 and are attached as Appendix I-5 and I-6 which shows the parking to be accommodated at the rear of the property. There are also exterior upgrades proposed to the house including new shingles and windows which have already been substantially completed.

OTHER INFORMATION

By-Law Enforcement

A complaint was received in December 2008 for operating a business within a residential property. A Notice of Contravention was issued and a summons was served in February 2009. The trial has been adjourned pending the results of the rezoning process.

Development Requirements

In conjunction with the proposed development, there are certain engineering matters with respect to drainage, which will require the applicant to enter into appropriate agreements with the City.

FINANCIAL IMPACT:

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

CONCLUSION:

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:

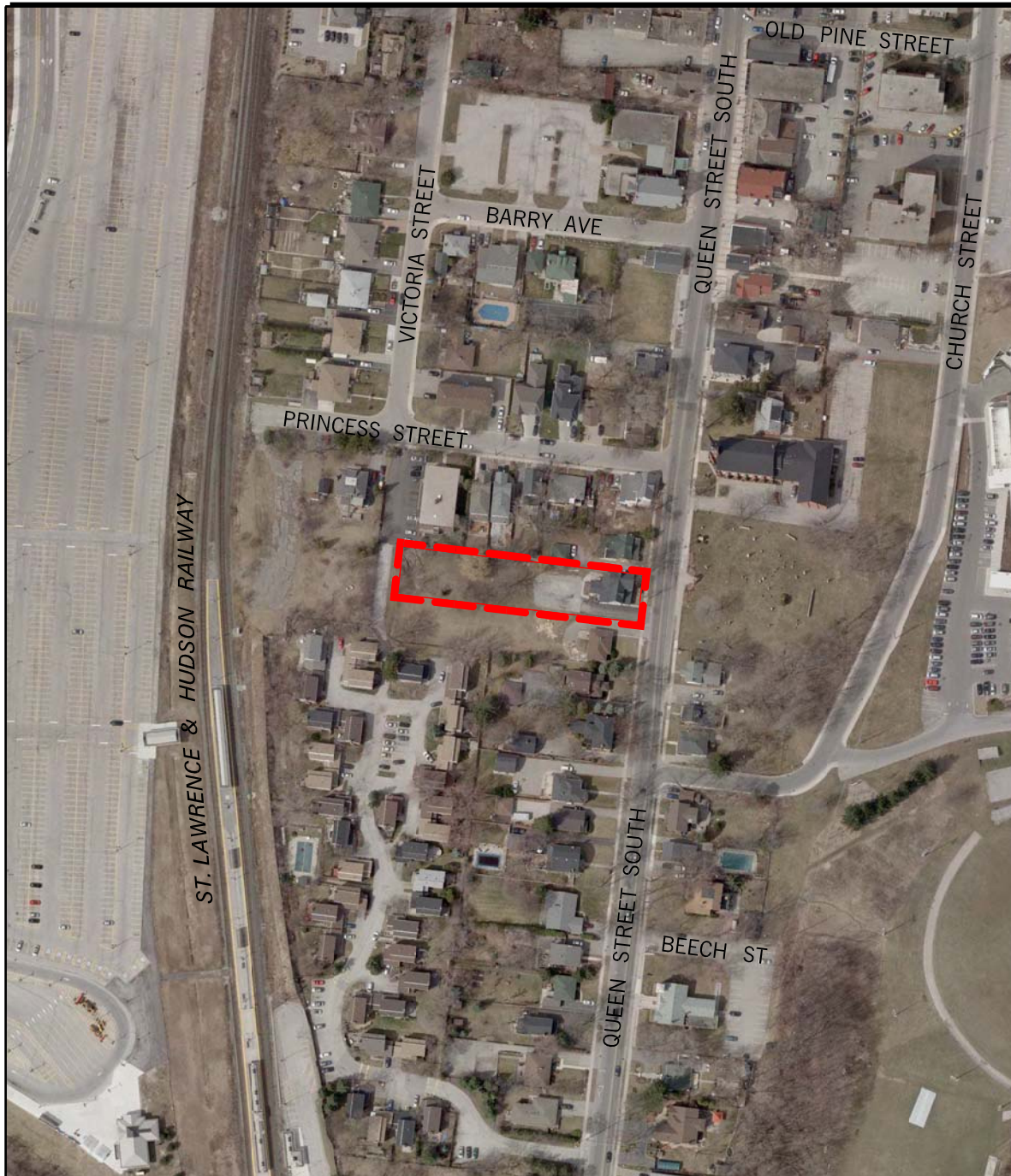
Appendix I-1 - Site History
Appendix I-2 - Aerial Photograph
Appendix I-3 - Excerpt of Streetsville District Land Use Map
Appendix I-4 - Excerpt of Existing Land Use Map
Appendix I-5 - Site Plan
Appendix I-6 - Elevations
Appendix I-7 - Agency Comments
Appendix I-8 - General Context Map

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Erica Pallotta, Development Planner

Pardev Holdings Inc.**File: OZ 09/006 W11****Site History**

- June 27, 1990 – A rezoning application under file OZ 90/043 was submitted to request a High Density II Development. The file was closed on December 6, 1993.
- October 8, 2002 – A minor variance application under file "A" 866/02 was submitted to permit the existing framing gallery operation to remain and to permit a lower parking standard. The application was refused on November 7, 2002.
- June 23, 2003 – A minor variance application under file "A" 554/03 was submitted to permit the existing framing gallery operation to remain and to permit a lower parking standard. The application was approved on July 24, 2003.
- June 18, 2007 – A site plan application under file SP 156/07 W11 was submitted to permit a medical clinic and was subsequently closed on July 15, 2008.
- June 20, 2007 – Zoning By-law 0225-2007 came into force except for those sites which have been appealed. As no appeals have been filed the provisions of the new By-law apply. The subject lands are zoned "R3" (Detached Dwellings – Typical Lots).
- May 2, 2008 – A minor variance application was submitted to the Committee of Adjustment under file "A" 206/08 to permit office uses and was refused by the Committee on June 26, 2008. The Committee noted that the rezoning process was a more appropriate way to proceed with the change of use. The refusal of the application was appealed to the Ontario Municipal Board in July 2008 and the appeal was withdrawn in October 2008.
- January 7, 2009 – Notice of contravention issued to cease the business use on the residential property until such time as a rezoning application was applied for and approved. Summons were served on February 28, 2009 with a court date set for March 12, 2009. Several court dates have been set and then further adjourned to allow the resolution of the Rezoning application.
- May 8, 2009 – A site plan application under file SP 09/063 W11 was submitted to permit an office use within the existing residential dwelling.



LEGEND:



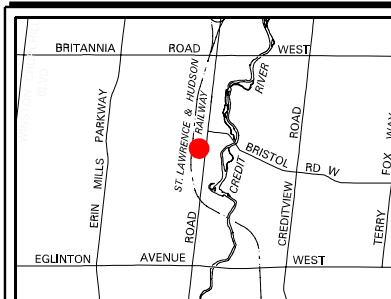
SUBJECT LANDS

DATE OF AERIAL PHOTO: SPRING 2010



SUBJECT:

PARDEV HOLDINGS INC.



FILE NO:
OZ 09/006 W11

DWG. NO:
V809006A

SCALE:
1:2500

PDC DATE:
2010 11 15

DRAWN BY:
W. FINLAY

APPENDIX 1-2



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

LAND USE DESIGNATIONS

- Residential - Low Density I
- Residential - Low Density II
- Residential - Med. Density I
- Residential - Med. Density II
- Residential - High Density I
- Mainstreet Retail Commercial
- General Retail Commercial
- Convenience Retail 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
- GO Transit Station

LAND USE LEGEND

- LBPIA Operating Area Boundary - See Aircraft Noise Policies
- Node Boundary
- Cem - Cemetery
- 1996 NEP /2000 NEF Composite Noise Contours
- Planning District

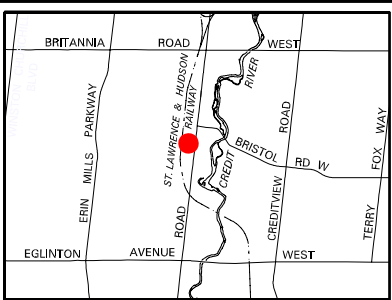
Special Site Areas (See Special Site Policies)

Note:
The 1996 Noise Exposure Projection (NEP)/2000 Noise Exposure Forecast (NEF) Composite Noise Contours are shown for information purposes only and are not part of the District Land Use Map. These contours will change from time to time as new information becomes available.
For accurate reference the composite NEP/NEF map produced by Transport Canada at a scale of 1:50 000 should be consulted.

SUBJECT LANDS



SUBJECT: PARDEV HOLDINGS INC.



FILE NO:
OZ 09006 W11

DWG. NO:
09006LM

SCALE:
NTS

PDC DATE:
2010 11 15

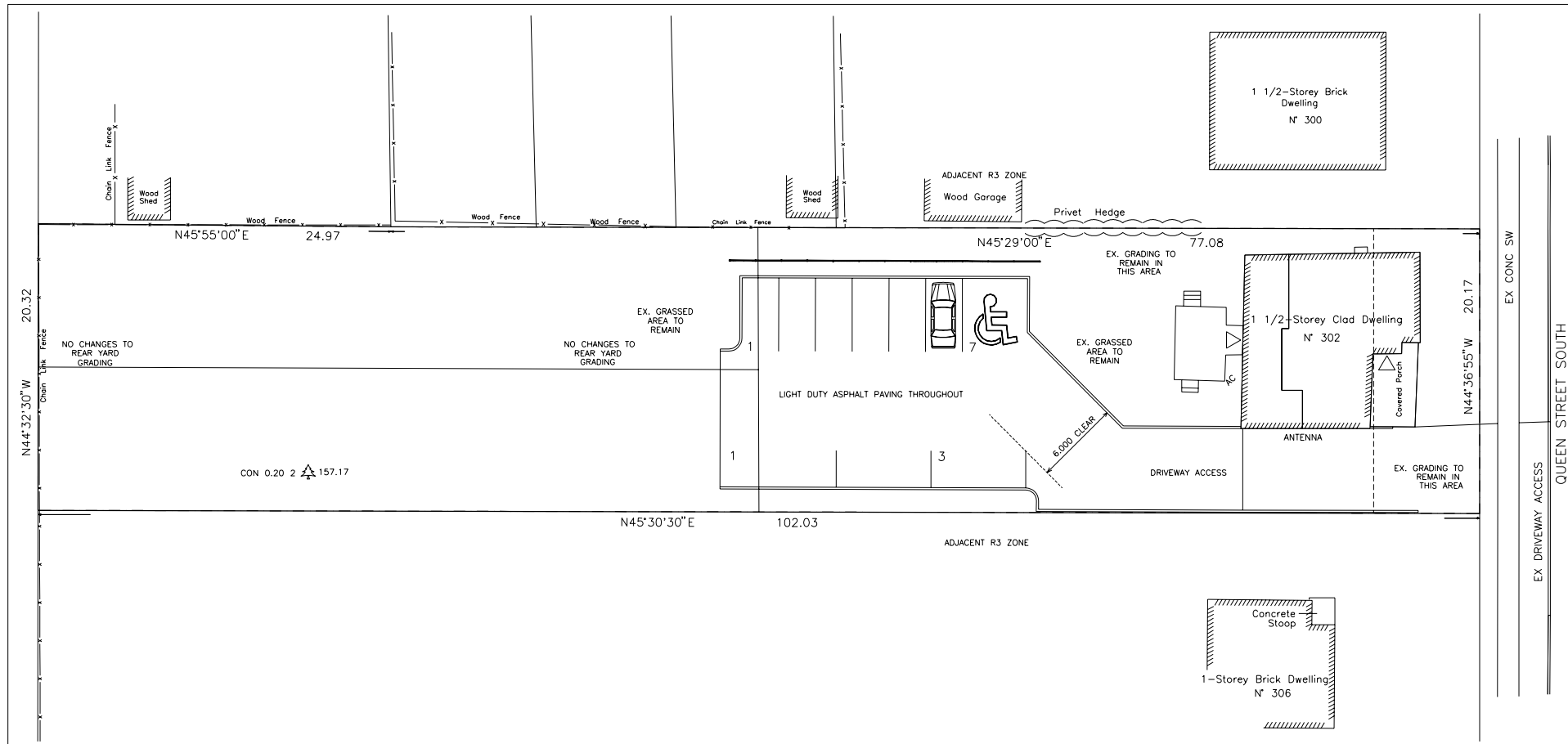
DRAWN BY:
W. FINLAY

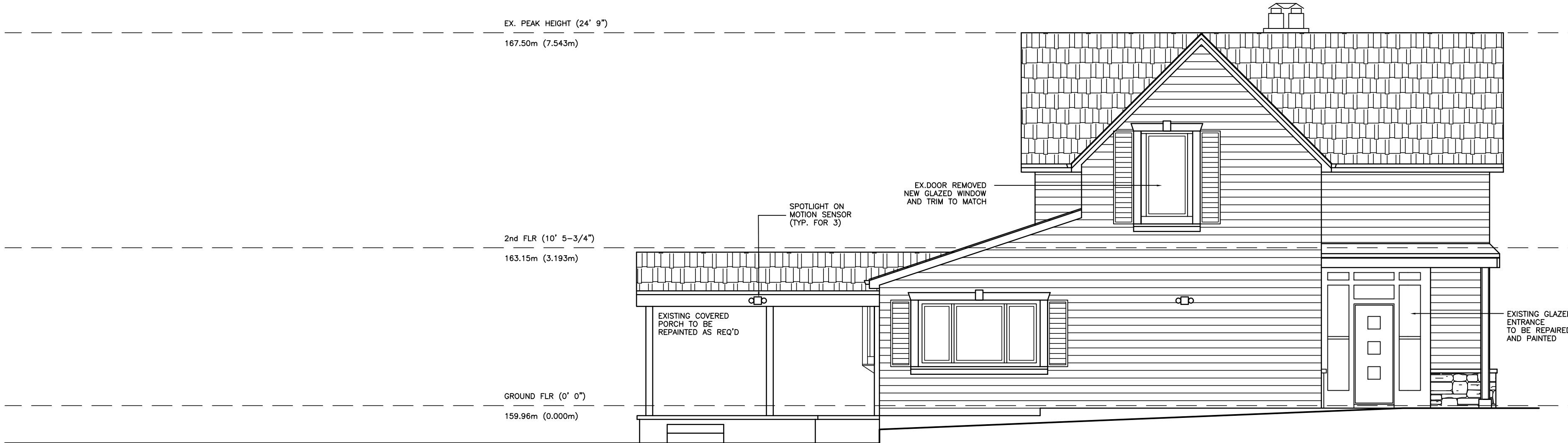
APPENDIX I-3

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics

APPENDIX I-5

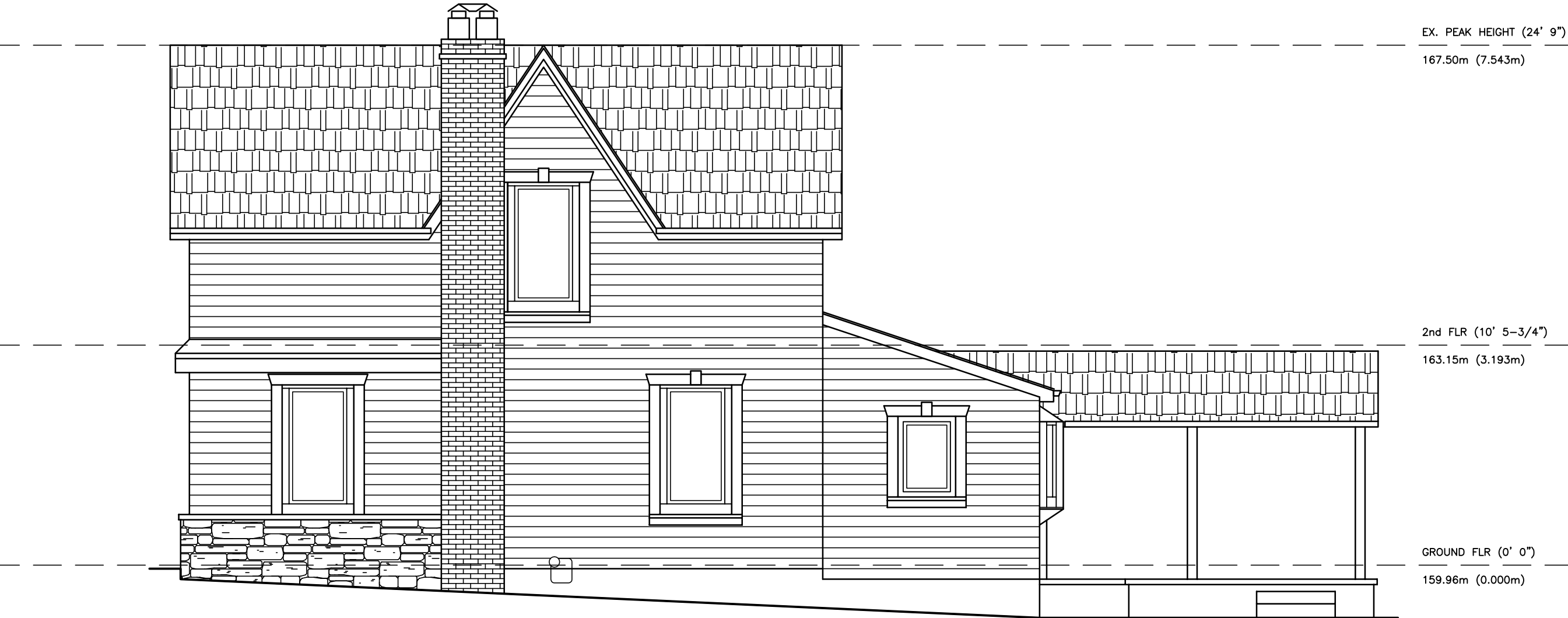




1 SOUTH ELEVATION
A2.1 SCALE: 3/16" = 1'-0"



2 EAST (FRONT) ELEVATION
A2.1 SCALE: 3/16" = 1'-0"



3 NORTH ELEVATION
A2.1 SCALE: 3/16" = 1'-0"



4 EXISTING WEST (REAR) ELEVATION
A2.0 SCALE: 3/16" = 1'-0"

Pardev Holdings Inc.**File: OZ 09/006 W11****Agency Comments**

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

Agency / Comment Date	Comment
GTAA (September 30, 2010)	According to the Airport Zoning Regulations for Toronto Lester B. Pearson International Airport, development elevations on the property are affected by the Approach Surface for Runway 06R. The maximum allowable development elevation under this restriction is approximately 383 metres Above Sea Level (A.S.L.). Based on the information provided, the existing two-storey residential dwelling with a proposed office use component would be within the heights limited associated with the Regulations.
Region of Peel (September 27, 2010)	The Region of Peel has no objection to the approval of this application. The applicant is advised that it is possible to utilize existing site services. The applicant is required to submit two sets of site servicing drawings to the Region's Development Engineering Division for review and that all connections must conform to Regional standards, specifications and design criteria. The subject land is not located within the vicinity of a landfill site. The applicant is advised that on-site waste collection will be required through a private waste hauler as long as the use of this property is for office/business services. If at any time a portion of the building is used as a residence in conjunction with the permitted office uses the residential waste must be separated from business waste and must be clearly identifiable.
City Community Services Department – Planning, Development and Business Services Division/Park Planning Section (July 13, 2010)	In the event that the subject application is approved, the Community Services Department – Park Planning Section notes the following condition: As per comments updated on July 13, 2010, this Department will require a cash contribution for street tree planting prior to by-law enactment.

Pardev Holdings Inc.

File: OZ 09/006 W11

Agency / Comment Date	Comment
City Community Services Department – Culture Division (September 30, 2010)	The subject property is adjacent to 300 Queen Street South, a heritage designated property on the City's Register. The subject lands are listed on the City's Heritage Register as they related to the Streetsville Core cultural landscape. The proposed changes to the property are minimal from a perspective of the streetscape and there are no proposed alterations to the structure. There are no heritage related concerns.
City Community Services Department – Fire and Emergency Services Division (September 29, 2010)	Fire has reviewed the rezoning application from an emergency response perspective and has no concerns. Emergency response time to the site and water supply available are acceptable.
City Transportation and Works Department (July 19, 2010)	<p>The Acoustic Feasibility Study prepared by SS Wilson Associates dated April 13, 2009 is under review and detailed comments/conditions will be provided prior to preparation of the Supplementary Report.</p> <p>The site plan prepared by Romanov Architects dated March 24, 2009 has been submitted with the application. Prior to the preparation of a Supplementary Report, the applicant has been requested to submit a drainage proposal for the proposed development.</p> <p>Traffic Impact Study prepared by MMM Group dated May 2009 is currently under review.</p> <p>Comments on the above will be finalized prior to preparation of the Supplementary Report.</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> <ul style="list-style-type: none"> - Canada Post - Enersource Hydro Mississauga

Pardev Holdings Inc.**File: OZ 09/006 W11**

Agency / Comment Date	Comment
	<p>The following City Departments and external agencies were circulated the application but provided no comments:</p> <ul style="list-style-type: none">- Bell Canada- CN Rail- CP Rail- Development Services, City of Mississauga- Economic Development Office, City of Mississauga- GO Transit- Hydro One Networks Inc.- Orangeville Railway Development Corp.- Realty Services, City of Mississauga- Rogers Cable Communications Inc.

APPENDIX I-8

