Clerk's Files



Originator's Files OZ 10/008 W4

PDC JAN 9 2012

DATE:	December 13, 2011
TO:	Chair and Members of Planning and Development Committee Meeting Date: January 9, 2012
FROM:	Edward R. Sajecki Commissioner of Planning and Building
SUBJECT:	Information Report Official Plan Amendment and Rezoning Applications To permit a 169 unit, 6 storey retirement dwelling with a 7 th storey mechanical room and amenity area 3640-3658 and 3670 Cawthra Road Southwest corner of Burnhamthorpe Road East and Cawthra Road Owner: Daraban Holdings Limited Applicant: Weston Consulting Group Inc. Bill 51
	Public Meeting Ward 4
RECOMMENDATION:	That the Report dated December 13, 2011, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Residential Medium Density I" and "Motor Vehicle Commercial" to "Residential High Density II - Special Site" and to change the Zoning from "RM4" (Townhouse Dwellings) and "C5-3" (Motor Vehicle Commercial - Exception) to "RA2-Exception" (Apartment Dwellings - Exception), to permit a 169 unit, 6 storey retirement dwelling with a 7 th storey mechanical room and amenity area under file OZ 10/008 W4, Daraban Holdings Limited, 3640-3658 and 3670 Cawthra Road, be received for information.

BACKGROUND: The above-noted applications have been circulated for technical comments and a community meeting was held on April 6, 2011. A site plan application was submitted on September 7, 2011 under file SP 11/145 W4.

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:	August 5, 2010	
Applications deemed		
complete:	August 31, 2010 6 storeys with a 7 th storey mechanical	
Height:	5	
	room and amenity area.	
Lot Coverage:	32.6%	
Floor Space Index:	1.7	
Landscaped	36.5 %	
Area:	30.3 %	
Net Density:	319 units/ha	
	129 units/acre	
Gross Floor Area:	8 848.2 m ² (95,241 sq. ft.)	
Number of units:	169 retirement dwelling units	
Anticipated	413*	
Population:	*Average household sizes for all units	
	(by type) for the year 2011 (city average)	
	based on the 2008 Growth Forecasts for	
	the City of Mississauga.	
Parking Required:	85 spaces (0.5 spaces/unit)	
Parking Provided:	68 spaces (0.4 spaces/unit)	

Development Proposal	
Supporting	Planning Justification Report;
Documents:	Functional Servicing Report;
	Geotechnical Assessment;
	Phase 1 and Phase 2 Environmental
	Site Assessment;
	Traffic Impact Statement;
	Noise Study;
	Shadow Study;
	Survey;
	Concept Plan and Elevations;
	Tree Inventory; and
	Landscape Concept.

Site Characteristics		
Frontages:	105.3 m (345.5 ft.) on Cawthra Road	
	30.6 m (100.4 ft.) on Burnhamthorpe	
	Road East	
Depth:	45.7 m (150 ft.)	
Lot Area:	0.53 ha (1.31 ac.)	
Existing Use:	Vacant former gas station site within	
	north portion;	
	Ten (10) townhouse dwellings within	
	south portion.	

Green Development Initiatives

The applicant has identified that the following green development initiatives will be incorporated into the development:

- interlocking concrete unit pavers as permeable pavement;
- continuous barrier free walkways linking the building and parking areas to public sidewalks to encourage and facilitate pedestrian movement;
- bicycle parking in a visible and accessible location with weather protection to encourage cycling;
- provision of shade trees along parking, driveways and walkways to reduce ambient surface temperature;

- extensive landscaping at roof level to improve energy efficiency, reduce heat island effects, and create green space for passive recreation;
- non-reflective glazing for a minimum of the first 10 m (33 ft.) above grade;
- bio-swales within the landscaped area between the building and street;
- use of LED energy efficient lighting;

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- use of low-flush toilets for water efficiency;
- consideration will be given to select building construction materials with recycled and regional content.

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

Neighbourhood Context

The subject property is located in an established residential area at the intersection of two major roads that contain a mix of uses, including retail commercial, office, place of religious assembly, and former service stations. The subject lands currently consist of a vacant lot that previously contained a service station and a ten (10) unit rental townhouse complex. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

North: Burnhamthorpe Road East, vacant corner lot formerly a service station, detached dwellings and linked dwellings to the northeast
East: Cawthra Road, two commercial plazas consisting of office and retail uses, St. Mary's Ukrainian Catholic Church to the southeast, and townhouse dwellings and semi-detached dwellings further east
South: A fourplex building which abuts the subject property and detached dwellings
West: Semi-detached and detached dwellings

Current Mississauga Plan Designation and Policies for Mississauga Valleys (May 5, 2003)

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"Motor Vehicle Commercial" which permits only gas bars and motor vehicle service stations; motor vehicle washes; establishments for minor motor vehicle repairs; and retail 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. Retail commercial uses of a convenience nature, including an accessory take-out restaurant which may include a drive-through facility, will be permitted in conjunction with fuel dispensing and Motor Vehicle Commercial uses subject to certain requirements.

"Residential Medium Density I" which permits townhouse dwellings within a density range of 25-50 units per net residential hectare (10-20 units per net residential acre), with building heights not to exceed three (3) storeys. The General Policies for Residential designations permit special needs housing, such as housing for the elderly.

The applications for a 169 unit, 6 storey retirement dwelling with a 7^{th} storey mechanical room and amenity area are not in conformity with the land use designations, therefore, an official plan amendment is proposed as part of the proposal.

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

Section 3.2.3.1

Residential lands will be developed to achieve a compact, orderly urban form generally characterized by lower densities in the interior of communities and higher densities along major roads and near concentrations of retail commercial, community, and transportation facilities.

Section 3.2.3.2

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. Innovative housing types and zoning standards will be encouraged. 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. Broader urban design issues related to the creation of an urban street character, developing a sense of gateway into a community and highlighting district focal points will also be considered in assessing residential development.

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Section 3.13.1.1

Intensification areas will be the Urban Growth Centre, nodes, intensification corridors and major transit station areas.

Section 3.13.1.6 The focus for intensification will be within intensification areas.

Section 3.13.5.3

Intensification outside intensification areas may be considered where the proposed development is compatible in built form and scale to surrounding development, enhances the existing or planned development, and is consistent with the policies of this Plan.

Section 3.13.5.4

Where there is no restriction on the heights of buildings in the Residential 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, and that development proposals enhance the existing or planned development and are consistent with the policies of this Plan.

Section 3.13.6.17

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 public and private open space and amenity space.

Section 3.13.6.23

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The development should minimize the use of surface parking in favour of underground or aboveground structured parking. All surface parking should be screened from the street and be designed to provide for surveillance from public areas. Aboveground structured parking should be lined with residential, commercial or office uses.

Section 3.18.7.5

Building and site designs will provide adequate outdoor amenity spaces to suit the needs of building users.

Section 5.3.2

Criteria for Site Specific Official Plan Amendments require an applicant to submit satisfactory planning reports to demonstrate the rationale for the proposed amendment as follows:

- the proposal would not adversely impact or destabilize the following: the overall intent, goals and objectives of the Official Plan; and the development and functioning of the remaining lands which have the same designation, or neighbouring lands;
- the lands are 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.

Mississauga Official Plan (2011)

Mississauga Official Plan (2011) was adopted by City Council on September 29, 2010 and partially approved by the Region on September 22, 2011. Mississauga Official Plan (2011) has been appealed in its entirety and, as such, the existing Mississauga Plan (2003) remains in effect. The application was originally submitted under the previous Official Plan which is the current plan in effect. Regard should be given to the new Mississauga Official Plan.

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The new Official Plan designates the subject lands as "Motor Vehicle Commercial" and "Residential Medium Density". The subject lands are also identified as a Neighbourhood (Mississauga Valleys Character Area) and located on two designated Corridors (Burnhamthorpe Road East and Cawthra Road).

The following policies in the new Mississauga Official Plan are applicable in the review of these applications:

"**Residential Medium Density**" permits townhouse dwellings and all forms of horizontal multiple dwellings. The Neighbourhood policies for the Mississauga Valleys Character Area also permit low-rise apartment dwellings within lands designated "Residential Medium Density" (Section 16.19.2.2).

Section 16.1.2.3

Where the Residential Medium Density policies of this Plan permit low-rise apartment dwellings, they will be encouraged to locate on Corridors.

Corridors

Section 5.4.4

Development on Corridors should be compact, mixed use and transit-friendly, and appropriate to the context of the surrounding Neighbourhood and Employment Area.

Section 5.4.5

Where higher density uses within Neighbourhoods are directed to Corridors, development will be required to have regard for the character of the Neighbourhoods and provide appropriate transitions in height, built form and density to the surrounding lands.

Neighbourhoods

Figure 5-5 states that within Neighbourhoods along Corridors the minimum height is 2 storeys. Neighbourhoods have a maximum height of 4 storeys.

Section 5.3.5.1

Neighbourhoods will not be the focus for intensification and should be regarded as stable residential areas where the existing character is to be preserved.

Section 5.3.5.2

Residential intensification within Neighbourhoods will generally occur through infilling and the development of existing commercial sites and mixed use areas.

Section 5.3.5.3

Where higher density uses are proposed, they should be located on sites identified by a local area plan, along Corridors or in conjunction with existing apartment sites or commercial centres.

Section 5.3.5.6

Development will be sensitive to the existing and planned context and will include appropriate transitions in use, built form, density and scale.

Non-Intensification Areas

Non-Intensification areas consist of Neighbourhoods, Employment Areas, Special Purpose Areas, and Corridors, and will experience limited growth and change, while the focus for intensification will be Intensification Areas consisting of the Downtown, Major Nodes, Community Nodes, Corporate Centres, Intensification Corridors and Major Transit Station Areas.

Section 9.2.2.1

Heights in excess of four storeys will be required to demonstrate that an appropriate transition in height and built form that respects the surrounding context will be achieved.

Section 9.2.2.7

Development on Corridors will be encouraged to:

- a. assemble small land parcels to create efficient development parcels;
- b. face the street, except where predominate development patterns dictate otherwise;
- c. not locate parking between the building and the street;
- d. site buildings to frame the street and where non-residential uses are proposed to create a continuous street wall;
- e. provide entrances and transparent windows facing the street for non-residential uses;
- f. support transit and active transportation modes;
- g. consolidate access points and encourage shared parking, service areas and driveway entrances; and
- h. provide concept plans that show how the site can be developed with surrounding lands.

Figure 9-30 contains a diagram illustrating how Medium or High Density Residential can respect the existing context and provide an appropriate transition in built form to Low Density Residential using a 45 degree angular plane measured at a point 7.5 m (24.6 ft.) from the property line and 10 m (33 ft.) vertically.

Proposed Official Plan Designation and Policies

"Residential High Density II – Special Site" to permit only a retirement dwelling and/or nursing home including accessory uses such as a chapel, medical office and tuck shop, at a Floor Space Index (FSI) of 1.7, whereas the "Residential High Density II" designation permits apartment dwellings at a Floor Space Index of 1.5-2.0.

Existing Zoning

"C5-3" (Motor Vehicle Commercial - Exception), which permits a Gas Bar, Motor Vehicle Service Station and Motor Vehicle Repair Facility - Restricted. A Motor Vehicle Wash Facility - Restricted is prohibited. **"RM4" (Townhouse Dwellings)**, which permits townhouse dwellings with a minimum unit width of 5.0 m (16.4 ft.) and height of 10.7 m (35.1 ft.).

Proposed Zoning By-law Amendment

"RA2-Exception" (Apartment Dwellings - Exception), to permit a retirement dwelling with exceptions to only permit a retirement dwelling, with a maximum height of 7 storeys and a Floor Space Index of 1.7.

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

	Required Zoning	Proposed Zoning
	By-law Standard	Standard
	(RA2 – Apartment	(RA2 –
	Dwelling Zone)	Exception)
Parking	0.5 spaces per unit	0.4 spaces per unit
Minimum Building	9.5 m (31 ft.)	7.0 m (23 ft.)
Setback to		
Burnhamthorpe Road		
East		
Minimum Building	9.5 m (31 ft.)	6.0 m (19.7 ft.)
Setback to		
Cawthra Road		
Minimum Landscaped	40% of the lot area	36% of the lot
Area		area
Minimum Interior	18.5 m (60.7 ft.)	13.8 m (45.3 ft.)
Side Yard Setback		
Maximum Height	The lesser of 26 m	21 m (68.9 ft.) or
	(85.3 ft.) or	7 storeys
	8 storeys	
Landscaped Buffers		
Cawthra Road	4.5 m (14.8 ft.)	6.0 m (19.7 ft.)
Burnhamthorpe Road		
East	4.5 m (14.8 ft.)	7.0 m (23 ft.)
West Lot Line	4.5 m (14.8 ft.)	4.5 m (14.8 ft.)
South Lot Line	4.5 m (14.8 ft.)	3.0 m (9.8 ft.)

	Required Zoning By-law Standard (RA2 – Apartment Dwelling Zone)	Proposed Zoning Standard (RA2 – Exception)
Minimum Setback of	4.5 m (14.8 ft.)	1.4 m (4.6 ft.)
Surface Parking		
Space to a Street Line		

COMMUNITY ISSUES

A community meeting was held by Ward 4 Councillor, Frank Dale on April 6, 2011. Councillor Dale also held focus group meetings on October 6, 2010, June 29, 2011 and September 28, 2011.

The following is a summary of issues raised by the community:

- The proposed building massing and height are excessive and should not exceed 4 storeys. Concerns include obstructed views, loss of privacy with overlook and reduced property values;
- The separation distance between the existing residential dwellings on Holden Crescent and the proposed retirement dwelling;
- Traffic impacts, specifically given the existing traffic volumes on Cawthra Road;
- Safety concerns for pedestrian crossing at the intersection of Cawthra Road and Burnhamthorpe Road East;
- Whether the amount of parking provided for the development would be sufficient;
- Lack of amenity space, particularly at grade, for seniors;
- Mitigation of noise impacts.

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:

- appropriateness of the proposed applications;
- resolution of design details and zoning standards;
- relocation of parking spaces currently proposed in front of the building;
- relocation of the outdoor patio/amenity area currently proposed along the south portion of the Cawthra Road frontage to conform to Ministry of Environment (MOE) noise guidelines;
- submission of revised drawings to show the Burnhamthorpe Road East road works which will impact the site;
- remediation of all on-site contaminants to Ministry of Environment guidelines and submission of a Final Clean-up Report; and,
- submission of a revised tree inventory and preservation plan.

OTHER INFORMATION

Development Requirements

In conjunction with the proposed development, there are certain other engineering matters with respect to warning clauses and site plan requirements, 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: 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:	Aerial Photograph
	Appendix I-3:	Excerpt of Mississauga Valleys 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:	General Context Map

Edward R. Sajecki Commissioner of Planning and Building

Prepared By: Jonathan Famme, Development Planner

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File: OZ 10/008 W4

Site History

- August 16, 1963 Surrounding residential subdivision registered under Registered Plan No. 691;
- June 25, 1990 Official Plan Amendment and Rezoning application under file OZ 87/014 W4 was approved to permit automobile commercial (gas bar) on the north portion of the subject site (3670 Cawthra Road);
- January 18, 1991 Site Plan application under file SP 89/106 W4 was approved for a Shell Canada gas bar on the north portion of the subject site (3670 Cawthra Road);
- June 20, 2007 Zoning By-law 0225-2007 came into force except for those sites which have been appealed. The subject lands are zoned "RM4" (Townhouse Dwellings) and "C5-3" (Motor Vehicle Commercial Exception).





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File: OZ 10/008 W4

Agency Comments

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

Agency / Comment Date	Comment
Region of Peel (November 10, 2011)	The Traffic Impact Study prepared by Cole Engineering dated July 26, 2010 for the proposal has been reviewed and the following comments are provided:
	The proposed full moves access on Cawthra Road does not comply with the Region's Controlled Access By-law 59-77, as amended for intersection spacing, which states a minimum spacing of 300 m to 400 m (984.3 ft. to 1,312.3 ft.). Under the existing and future traffic conditions, the proposed full moves access on Cawthra Road will negatively compromise the capacity, safety and operation of the road section. Taking into consideration the close proximity of the proposed full moves access to the intersection of Cawthra Road and Burnhamthorpe Road East, the Region will permit a right in/right out access with a right turn lane requirement on Cawthra Road at this location.
	Regional Road 17 (Cawthra Road) has a right of way of 36 m (118.1 ft.). The Region of Peel will require the gratuitous dedication of lands to meet the Official Plan requirement of 18.0 m (59.1 ft.) from the centerline of Regional Road 17 (Cawthra Road).
	The Region will require the 15 m x 15 m (49.2 ft. x 49.2 ft.) daylight triangle easement at the intersection of Regional Road 17 (Cawthra Road) and Burnhamthorpe Road East.
	The Region will require a 0.3 m (1.0 ft.) reserve along the frontage of Regional Road 17 (Cawthra Road) behind the property line and daylight triangle except at the approved access point.

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Agency / Comment Date	Comment
	The applicant is required to gratuitously dedicate this land to the Region, free and clear of all encumbrances. All costs associated with the transfer are the responsibility of the applicant. The applicant must provide the Region with the necessary title documents and reference plan(s) to confirm the Region's right-of-way.
	Reciprocal access easement must be established at accesses for future interconnection with the property to the south.
	An existing 150 mm (6 in.) diameter water main is located on Cawthra Road and a 400 mm (16 in.) diameter watermain is being constructed on Burnhamthorpe Road East under project 07-1355.
	Existing 250 mm (10 in.) diameter sanitary sewers are located on Burnhamthorpe Road East and Cawthra Road.
	A revised Functional Servicing Report is required for review. The revised report must include: completed Region of Peel sanitary sewer design sheet (standard drawing 2-5-1); sanitary sewer drainage plan; sanitary sewer calculations; domestic water demand calculations; fire flow calculations; hydrant flow tests; and additional copies of site servicing plan.
	A waste collection area comprised of a 6 m (19.7 ft.) wide by 6 m (19.7 ft.) long concrete pad is required.
City Community Services Department – Planning, Development and Business Services Division/Park Planning	The subject lands are approximately within 600 m (1,969 ft.) of Meadow Glen Park (P-153) which contains a pathway system and play sites and 600 m (1,969 ft.) of Greenfield Park (P-032) which contains mini soccer and softball pitches.
Section (November 18, 2011)	Prior to the Supplementary Report, a revised tree inventory and preservation plan will be required.

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Agency / Comment Date	Comment
	Prior to the passage of an amending by-law, the Community Services Department will require payment for street tree contributions.
	Prior to the issuance of building permits for each lot or block 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.
City Transportation and Works Department (November 15, 2011)	Following review of the Noise Report, Addendum #1, the applicant has been requested to relocate the outdoor patio/amenity area proposed immediately in front of the southerly portion of the building facing Cawthra Road, to minimize the exposure to substantially loud acoustical environment created by Cawthra Road and Burnhamthorpe Road East.
	Prior to the Supplementary Report, the site is to be remediated in conformance with the MOE guidelines and a certified final clean-up report is to be submitted once the remediation is completed.
	The applicant has been notified that the City has programmed the reconstruction of Burnhamthorpe Road East to commence in 2012 and that the Site Plan and appropriate servicing drawings are to be revised to include the proposed road works that will impact the site.

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Agency / Comment Date	Comment
Other City Departments and	The following City Departments and external agencies offered
External Agencies	no objection to these applications provided that all technical
	matters are addressed in a satisfactory manner:
	City Community Services Department – Culture Division
	City Community Services Department – Fire and Emergency
	Services Division.
	City Economic Development Department
	Enersource Hydro Mississauga
	Rogers Cable
	Canada Post
	Bell Canada
	The following external agency was circulated the applications
	but provided no comments:
	Trans-Northern Pipelines Inc.

