Clerk's Files



Originator's Files OZ 06/019 W7

**PDC** Jan 30 2012

DATE:	January 10, 2012
TO:	Chair and Members of Planning and Development Committee Meeting Date: January 30, 2012
FROM:	Edward R. Sajecki Commissioner of Planning and Building
SUBJECT:	Official Plan Amendment and Rezoning Applications To permit an eleven-storey retirement building, a one-storey commercial building, a maximum of 54 townhouse units, to recognize the existing fitness club and medical building, and to reduce the width of the North Service Road Right-of-Way to 20 m (65.6 ft.) 2021-2041 Cliff Road Part of Block 13, Registered Plan B-27 Northeast corner of North Service Road and Cliff Road Owner: Gemini Urban Design (Cliff) Corp. Applicant: J. Levac, Weston Consulting Group Inc. Bill 20
	Public Meeting and Supplementary Report       Ward 7
<b>RECOMMENDATION:</b>	<ul> <li>That the Report dated January 10, 2012, from the Commissioner of Planning and Building recommending approval of the applications under File OZ 06/019 W7, Gemini Urban Design (Cliff) Corp., 2021-2041 Cliff Road, be adopted in accordance with the following:</li> <li>1. That the application to amend Mississauga Plan from "General Commercial" to "Residential High Density II",</li> </ul>

"Residential Medium Density I", "Convenience Commercial", to introduce a special site policy to permit an eleven-storey, 140 unit retirement building, a one-storey commercial building, a maximum of 54 townhouse units, and to recognize the existing fitness club and medical building, be approved.

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- That the application to amend Schedule 5 of Mississauga Plan, Designated Right-of-Way Widths, for North Service Road between Hurontario Street and Cawthra Road from 26 m (85.3 ft.) to 20 m (65.6 ft.) be refused.
- 3. That Schedule 5 of Mississauga Plan, Designated Right-of-Way Widths, be amended for North Service Road between Hurontario Street and Cawthra Road from 26 m (85.3 ft.) to 22 m (72.2 ft.).
- 4. That the application to change the Zoning from "C2" (Neighbourhood Commercial) to "H-RA4-Exception" (Residential Apartments - Exception) and "H-C2-Exception" (Neighbourhood Commercial - Exception) to permit an eleven-storey, 140 unit retirement building, a one-storey commercial building, a maximum of 54 townhouse units, and to recognize the existing fitness club and medical building in accordance with the proposed zoning standards described in this report, be approved subject to the following condition:
  - (a) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development.
- That the "H" Holding provision is to be removed from the whole or any part of the lands zoned "H-RA4-Exception" (Residential Apartments - Exception) and "H-C2-Exception" (Neighbourhood Commercial - Exception), by further amendment, upon satisfaction of the following requirements:
  - (a) Provision of any outstanding technical studies and reports including a composite utilities plan, a functional

servicing, drainage and grading plan, and a plan recommending specific stormwater management and low impact development techniques to the satisfaction of the City of Mississauga and the Region of Peel;

- (b) Delivery of correspondence from the Ministry of Transportation (MTO) indicating that satisfactory arrangements have been made with respect to MTO's *Building and Land Use Policy* (2009) and any other regulatory matters;
- (c) Payment of all outstanding Transportation and Works Department securities to guarantee the installation of air conditioning units in accordance with the approved noise report;
- (d) Gratuitous dedication to the City of Mississauga of a right-of-way widening along the north side of the North Service Road;
- (e) Delivery of an executed Servicing Agreement for Municipal Works Only in a form and on terms satisfactory to the City, addressing and agreeing to the installation or placement of all required municipal works, including watermain, storm and sanitary sewer, traffic modifications, PUCC approval, the provision of land dedications, all required easements, including the provision of required securities, fees and related provisions;
- (f) Delivery of an executed Development Agreement in a form and on terms satisfactory to the City addressing and agreeing to the installation or placement of all required municipal boulevard works, including the provision of required securities and to the implementation of requirements/conditions prior to Site Plan approval, warning clauses, phasing and development provisions and such other provisions the City may require in relation to the proposed development;

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(g) Submission of a Record of Site Condition and Final Clean-up report and Letter of Reliance for review and approval. Any associated remediation recommended by the consultant must be completed;

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- (h) The City of Mississauga shall be advised by the School Boards that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the School Boards for the subject development.
- 6. That the decision of Council for approval of the rezoning application be considered null and void, and a new development application be required unless a zoning by-law is passed within 18 months of the Council decision.
- 7. That City Council direct Legal Services and representatives from the appropriate City Departments to attend the Ontario Municipal Board hearings respecting current appeals to Mississauga Plan and any related prehearing conferences and to retain expert witnesses, if necessary, to support the necessary amendments to Mississauga Official Plan in order to incorporate the Official Plan changes recommended in this report in respect of the Official Plan Amendment application by Gemini Urban Design (Cliff) Corp.

**REPORT SUMMARY:** This report describes a revised development proposal for the subject lands submitted by the applicant on August 30, 2011. The report 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, the public, as well as the applicant's rationale for the proposed development.

The report concludes that the Official Plan Amendment respecting the development of the site is acceptable. The Official Plan Amendment respecting the planned right-of-way width for North

Planning and Development	ommittee - 5 - January 10, 2012
	Service Road is recommended to be amended to accommodate a 22 m (72.2 ft.) width.
	With amendments to the "H" Holding provision conditions, the proposed zoning is appropriate to accommodate the development proposal.
BACKGROUND:	A public meeting was held by the Planning and Development Committee on March 30, 2009, 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-0032-2009 which was subsequently adopted by Council and is attached as Appendix S-2.
	Since the public meeting, the applicant has submitted revised development plans for the site and has revised the applications to amend the Official Plan and Zoning By-law.
COMMENTS:	Revised Development Proposal
	At the March 30, 2009 Planning and Development Committee's Public Meeting, these applications proposed the redevelopment of

Public Meeting, these applications proposed the redevelopment of the site for three apartment buildings (20, 18 and 9 storeys in height), 46 townhouse units and a three-storey medical office building. For information regarding that proposal, see Appendix S-1 - Information Report prepared by the Planning and Building Department.

On April 5, 2011 and subsequently amended, a revised development proposal was received that proposes to retain the fitness/medical building and replaces the existing commercial plaza with a 1 020 m<sup>2</sup> (10,979 sq. ft.) commercial plaza, 54 townhouses, and an eleven-storey retirement building.

The site development plan and revised development statistics for the proposal is attached as Appendix S-3 to this report. Updated Agency and City Department comments are attached as Appendix S-4 to this report.

## **Proposed Official Plan Designation**

"Residential High Density II" to permit an eleven-storey retirement building having a maximum gross floor area of  $10702 \text{ m}^2$  (115,199 sq. ft.) and a maximum of 140 units.

"**Residential Medium Density I**" to permit townhouses, limited to a maximum of 54 units.

"Convenience Commercial" to permit a one-storey commercial building permitting retail and service uses, having a maximum gross floor area of 1 020 m<sup>2</sup> (10,979 sq. ft.).

A **Special Site Provision** is proposed that would limit the site development of the site to a maximum Floor Space Index (FSI) of 1.04 times.

Amendments to the Cooksville District policies, Section 4.8.6.1, **Transportation: Road Classification** and **Schedule 5: Designated Right-of-Way Widths** of Mississauga Plan are proposed to designate North Service Road between Hurontario Street and Cawthra Road as a 20 m (65.6 ft.) wide right-of-way.

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

**"RA4-Exception"** to permit residential uses including an elevenstorey retirement dwelling and 54 townhouse dwellings.

"C2-Exception" to permit retail and service commercial, office and medical office uses, and to recognize the siting of the existing fitness and medical building.

Parking is to be provided in compliance with the general provisions of Zoning By-law 0225-2007 for all uses except for the proposed retirement dwelling, for which a rate of 0.4 spaces per dwelling unit is proposed. See the Zoning section below for additional information.

The proposed Zoning By-law includes an "H" Holding provision to be lifted upon the clearance of the following conditions:

- Delivery of an executed Development Agreement in a form satisfactory to the City of Mississauga;
- Provision of a letter of undertaking by the owner for MTO approval for the location of storm and sanitary sewers within the 14.0 m (46 ft.) MTO setback from the limit of the North Service Road right-of-way;
- The payment of securities;
- The gratuitous dedication to the City of Mississauga of a rightof-way widening along the north side of the North Service Road.

## **COMMUNITY ISSUES**

Subsequent to the Planning and Development Committee's meeting of March 30, 2009, an additional community meeting was held by Ward 7 Councillor Iannicca on March 9, 2011 where the revised development concept plan was presented. The following comments were received throughout the course of public consultation regarding the applications, including earlier iterations:

### Comment

With respect to building height, density and scale, the proposal is not in keeping with the character of the surrounding community.

### Response

The applications have been revised in a manner that significantly reduces the density and scale of the development previously presented to the Planning and Development Committee and designed with appropriate built form transition and building placement. See the 'Planning Comments' section of this report for additional details.

### Comment

When taller buildings were proposed for the site, concern was expressed regarding shadowing and privacy.

### Response

The tallest building proposed for the site is now eleven storeys. This building is sited approximately 45 m (148 ft.) from the closest detached dwelling to the north and approximately 150 m (492 ft.) from the detached dwellings to the east. The applicant has submitted a shadow study which demonstrates that given these distances and the angle of the sun there will be no or minimal shadow impacts on the adjacent properties.

### Comment

Concerns with traffic and parking impacts were expressed in relation to previous iterations of the applications.

### Response

The redevelopment proposal now proposes site development at a density that is compatible with surrounding land uses. A revised Traffic Impact Study has been received in support of the revised redevelopment proposal. Retirement homes are generally recognized to be low traffic generators compared to other residential uses. The additional vehicular trips generated by the proposal will have limited impact on the surrounding road network and can be adequately accommodated.

### Comment

The proposal will increase the strain on public services, particularly health care services, schools and emergency services.

### Response

The revised proposal significantly reduces the residential density initially proposed for the site when this comment was received. The proposed retirement building serves a local need and housing option, and the commercial component of the site provides local health care, fitness and convenience commercial amenities. Fire and Emergency Services and local hospitals have expressed no concern with the revised applications. The Dufferin-Peel Catholic District School Board responded they are satisfied with the current provision of educational facilities for the catchment area. The Peel District School Board recommends that the standard school accommodation condition in accordance with City of Mississauga Resolution 152-98 be applied to address their concerns.

### Comment

The fitness/medical building is seen as a community asset and should be retained in order to avoid adverse impacts on local business, recreation and employment land uses.

## Response

The revised applications preserve the fitness/medical building as a component of the redeveloped site. A convenience commercial facility is also proposed to provide neighbourhood amenity.

## Comment

Concern was expressed with the health implications of siting residential land uses adjacent to hydro power lines.

## Response

There is no Federal or Provincial statute or regulation that provides direction or authority to municipalities to prohibit residential land use in the vicinity of hydro corridors. The applications were circulated to the utility agencies, which did not express concern with the redevelopment proposal.

## Comment

Concerns were expressed regarding development phasing, a potentially lengthy period of construction, and its associated impact and inconvenience for the neighbourhood.

# Response

As a condition of the site plan and/or development agreement, construction management plans for the site that include provisions concerning construction traffic routes, construction site staging and hoarding, sediment control and tree protection will be required.

### PLANNING COMMENTS

### **Official Plan**

The applications were first submitted to the City on September 27, 2006. A summary of subsequent amendments to the Official Plan and appeals related to the site is attached as Appendix S-5.

The proposal requires an amendment to the Mississauga Plan Policies for the Cooksville District. The amendment affects the portion of the site where the retirement building, townhouses and commercial building are proposed; the Fitness Institute building will maintain the existing "General Commercial" designation.

The Cooksville District Policies describes the District as a generally stable, established area and the focus of the Plan is to recognize the scale and enhance the character of existing neighbourhoods. They also recognize that where sites are appropriate for redevelopment, infilling or intensification, it should occur in a manner that is visually compatible with the character of existing neighbourhoods.

Section 3.2.3.8 of Mississauga Plan encourages residential intensification in the form of more compact development and higher densities subject to adequate engineering and community services and compatibility with surrounding land uses. Development applications must address the scale and character if the existing residential area by having regard for natural vegetation, lot frontages and area, building height, coverage, mass, setbacks, privacy and overview.

The revised applications respond to the earlier concerns raised regarding the intensity and built form of the redevelopment proposal, as outlined below:

• The site is well located for the scale of intensification that is proposed given its size and location within the immediate area;

- The 40 m (131 ft.) wide hydro corridor forms a visual separation and a physical transition from the lower built form to the north of the corridor to the higher built form to the south;
- The rear yards of the houses east of the site (fronting on Munden Road) are substantially large, approximately 55 m (180 ft.), and have mature vegetation which assists in creating a physical transition and visual screen. These lots were initially registered in 1953 as 41 m (135 ft.) deep lots, and subsequently were transferred additional property to provide for transition to the Cliffway Plaza lands.
- The proposed 11 storey building is approximately 45 m (148 ft.) from the houses to the north and approximately 150 m (492 ft.) from the houses to the east. A satisfactory shadow study has been submitted which demonstrates that with these distances and the angle of the sun, there will be no or minimal shadow impacts on the adjacent properties.
- Given the built form context of the immediate area, the proposed site development plan is designed with appropriate built form transition and building placement. The proposed 3 storey townhouses and one storey commercial building create a gradual increase in height from the adjacent one and two storey houses to the east. The 11 storey building continues the rhythm and north-south orientation with the existing mid-rise buildings west of Cliff Road which range in height from 6 to 8 storeys.
- Mississauga Plan encourages the provision of a wide range of housing types, including housing for the elderly. Retirement units help assist in meeting the housing needs of an aging population within the Cooksville District, 27.6% of which were 50 years or older in 2006, up 4.1% from 2001 when 23.5% of the population was over 50 years of age.
- As the revised development plan and supporting studies propose a retirement dwelling on the lands to be designated "Residential High Density II" and the applications were

evaluated on this basis, it is recommended that the proposed Official Plan Amendment be revised to only permit a retirement dwelling up to a maximum height of 11 storeys and 140 units for this portion of the site.

- The non-residential portion of the lands comprising the fitness and medical building and the proposed commercial convenience plaza represents 50% of the redevelopment lands. The proposed commercial convenience plaza has the effect of maintaining a convenience retail function for the site, providing a neighbourhood amenity. The fitness and medical building was reported by residents to serve a community need, and that its retention would be desirable.
- The revised development proposal is compatible with adjacent land uses and built form. Mississauga Plan acknowledges that compatible development may not necessarily be the same as or similar to the existing or desired development, but nonetheless enhances an established community and co-exists with existing development without unacceptable adverse impact to the surrounding area.

Mississauga Plan provides criteria for evaluating site specific Official Plan Amendments (Section 5.3.2). The criteria are met for the following reasons:

- The proposal does not adversely impact or destabilize the overall intent, goals and objectives of the Official Plan as the intensity of development proposed does not undermine the policy objectives of the City's urban structure, the Urban Growth Centre, and/or the Cooksville Node;
- The "Residential Medium Density I" designation represents an acceptable transition from the higher building heights and densities west of the site to lower densities to the east, without adverse impact to the development and functioning of adjacent lands;

- The lands are suitable for the proposed uses, and compatible with existing and future uses of surrounding lands;
- In support of the applications, environmental, functional servicing, traffic impact and parking reviews, together with comments received from other agencies indicate satisfactorily that there is adequate infrastructure and community services to support the proposed development.

The new Mississauga Official Plan (2011) designates the site "**Mixed Use**", which permits retail and service commercial uses and secondary offices. The subject lands are not located in the **Downtown**, in a **Node**, or an **Intensification Corridor**. The redevelopment of the site and proposed degree of residential intensification is consistent with the objectives of Mississauga Official Plan (2011).

### **North Service Road**

The application seeks to reduce the right-of-way width of North Service Road from 26 m (85.3 ft.) to 20 m (65.6 ft.) between Hurontario Street and Cawthra Road. Gemini Urban Design (Cliff) Corp. has appealed Mississauga Official Plan in its entirety as it relates to the subject lands on the basis that North Service Road's width should be 20 m (65.6 ft.) wide, consistent with other service road conditions along the QEW corridor, among other reasons.

The Ministry of Transportation has recommended that the City maintain the 26 m (85.3 ft.) right-of- way width for North Service Road to ensure that the Ministry will have sufficient property available for a future widening of the QEW. However, it is also noted that preliminary design has not been undertaken by the Ministry, and accordingly it cannot comment on the impacts that the future potential widening will have on the development lands.

The Transportation and Works Department has reviewed the functional requirements and cross-section design of North Service Road between Hurontario Street and Cawthra Road and concludes that a 22 m (72.2 ft.) right-of-way is supportable for this section of North Service Road to accommodate its planned function. The applicant has indicated that in light of the City's functional review, a 22 m (72.2 ft.) width is agreeable, and that should the applications be approved by Council, the associated appeals with this aspect of the application will be withdrawn.

## Ministry of Transportation setback from the QEW

Land use and development situated in proximity to Ministry of Transportation (MTO) highway corridors is subject to MTO's *Building and Land Use Policy* (2009), under the authority of the *Public Transportation and Highway Improvement Act* (1990). The policy stipulates that adjacent to Class 1 or 2 highways or a 400 series highway, the minimum setback shall be 14 m (46 ft.). In areas where a service road exists, Section 3.5 of the policy provides that the minimum setback shall coincide with Ministry requirements.

MTO has advised that it has undertaken a feasibility study for the widening of the QEW in this area. The study has identified that additional property from the north limit of the North Service Road may be required. Until the Ministry's plans are finalized and an Environmental Assessment completed, the Ministry will strictly enforce a full 14 m (46 ft.) setback from the north limit of the North Service Road along the full frontage of the subject lands.

The rezoning application proposes that an "H" Holding provision be applied to the site for among other reasons, to ensure that MTO's policy has been satisfied. See the "H" Holding Provision section of this report below for additional details.

### Zoning

Building envelopes proposed by the application are depicted in Appendix S-8: Proposed Zoning By-law Schedule. The proposed standards represent an appropriate interface with adjacent lands. Townhouses are proposed having 7.0 m (22 ft.) minimum rear yard depth. However, adjacent to the rear yards of the houses facing Munden Road, a 7.5 m (24.6 ft.) minimum rear yard depth will be required. The proposed Zoning By-law schedule shall be clarified to only permit a retirement dwelling in Buildable Area "A" and a convenience commercial facility in Buildable Area "B".

The proposed Zoning By-law associated with the convenience commercial facility includes a convenience restaurant with a drivethrough window as a potential permitted use. The site development plan does not demonstrate how a drive-through stacking lane can be accommodated on site without adverse impact on the adjacent residential properties, and the supporting traffic impact study does not consider potential impacts associated with a drive-through facility. It is recommended that a drive-through facility not be permitted under the proposed Zoning By-law.

Parking will be provided in accordance with Zoning By-law 0225-2007 with the exception of the retirement building. A parking justification letter has been provided by Reed Voorhees and Associates Limited that substantiates the proposed rate of 0.4 spaces per retirement dwelling unit. This rate has been permitted by the City for other development sites, and is consistent with the Cansult Limited study (2005) which provided data for retirement homes throughout the Greater Toronto Area.

Parking is proposed to be shared between the proposed convenience commercial facility and the existing fitness and medical office building. Although a shortfall between the zoning requirement and the amount of parking supplied in the final phase of development is identified in the proposed site development plan, it is noted that no relief from the zoning requirement is sought by the proposed Zoning By-law. To realize the proposed site development plan, either additional parking facilities will be required or relief sought via the Committee of Adjustment in accordance with Section 45 of the *Planning Act*. Public notification and a satisfactory parking utilization study will be required to support any additional reduction in the required parking rate. The fitness and medical building will be severed from the development lands and condominium unit property lines will be created for the townhouse site, however from a zoning implementation, access and parking arrangement perspective, the proposed Zoning By-law will recognize shared facilities.

## Site Plan

Prior to development occurring on the lands, an approved Site Plan application is required in accordance with By-Law 0293-2006 and Section 41 of the *Planning Act*.

The current site development plan proposes a vehicular drop-off condition to serve the proposed retirement dwelling. The Mississauga Cycling Plan (September 2010) identifies Cliff Road as an on-road cycling route and Mississauga Transit Route #4 runs along this section of the road. Additional driveways for drop-off and pick-up of passenger will potentially create an unsafe condition for cyclists and pedestrians. From an urban design and transportation planning perspective, this condition is undesirable and should be reconsidered.

A concept elevation drawing for the retirement home building is attached as Appendix S-6. Building elevations may change as a result of the requirements of the retirement home operator, and/or as a result of requirements of the Site Plan Approval process.

Landscape planting plans will be required as a condition of Site Plan approval. From a landscape perspective, particular attention to the eastern property line interface, site circulation, the screening of parking areas and low-impact development objectives will be considered. The applicant has indicated that site development will incorporate storm water management practices with consideration for low-impact development techniques.

Matters related to shared facilities and services may also be managed through the development agreement and condominium approval processes.

## "H" Holding Provision

The application proposes that the Zoning By-law incorporate an "H" Holding provision which can be lifted upon the clearance of conditions. See the 'Proposed Zoning By-law Amendment' section of this report for the list of proposed conditions.

The applicant's proposed condition – provision of a letter of undertaking by the owner for MTO approval for the location of storm and sanitary sewers within the 14.0 m (46 ft.) MTO setback from the limit of the North Service Road right-of-way – should be amended. The MTO *Building and Land Use Policy* (2009) and its associated permit process is administered by the Province. It would not be appropriate for the municipality to deem MTO's review to be satisfied on the basis of an undertaking by the landowner. Rather, it is recommended that as a condition of lifting the "H" Holding provision, MTO advise the City that its policy conditions are addressed and that it has no objection to the condition being lifted.

It is further recommended that an additional condition be included to accommodate the School Board criteria. The conditions have also been revised at the request of the Transportation and Works Department to address the administration of Development and Servicing Agreements and outstanding technical matters.

**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 Official Plan Amendments and Rezoning, with amendments recommended in this report, are supported from a planning standpoint and should be approved for the following reasons:

 The Provincial Policy Statement (PPS) and Mississauga Plan (2003) support residential redevelopment and intensification provided there is compatibility with surrounding land uses.

	2. The applications meet the overall intent, goals and objective of the Official Plan with regard to intensification and the	\$S	
	City's urban structure.		
	3. The development site is organized in a manner that provides appropriate built form transition and is compatible with adjacent land uses.	\$	
	<ol> <li>The amendment to Schedule 5 of Mississauga Plan – Designated Right-of-Way Widths to reduce the North Servic Road right-of-way to 22 m (72.2 ft.) is appropriate to accommodate its planned function.</li> </ol>	ce	
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ATTACHMENTS:	Appendix S-1: Information Report		
	Appendix S-2: Recommendation PDC-0032-2009		
	Appendix S-3: Revised Site Development Plan and Statistics		
	Appendix S-4: Updated Agency and City Departments Comments		
	Appendix S-5: Mississauga Official Plan Policies and Appeals		
	Appendix S-6: Concept Elevation Drawing – Retirement Home		
	Appendix S-7: Excerpt of Existing Land Use Map		
	Appendix S-8: Proposed Zoning By-law Schedule		
	Appendix S-9: Revised School Accommodation		

Edward R. Sajecki Commissioner of Planning and Building

Prepared By: Hugh Lynch, Development Planner

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# PDC Mar 30 2009

DATE: TO:	March 10, 2009	
10.	Chair and Members of Planning and Development Committee Meeting Date: March 30, 2009	5
FROM:	Edward R. Sajecki Commissioner of Planning and Building	
SUBJECT:	Information Report Official Plan Amendment and Rezoning Applications To permit a 3 storey medical office building with retail at grade; a 20 storey, 255 unit apartment building; an 18 stor 175 unit apartment building; a 9 storey, 135 unit apartment building and 46 townhouse units 2021 – 2041 Cliff Road Part of Lot 13, Registered Plan B-27 Northeast corner of North Service Road and Cliff Road Owner: Gemini Urban Design (Cliff) Corp. Applicant: Jim Levac, Korsiak and Company Ltd. Bill 20	•
	Public Meeting W	Vard 7
RECOMMENDATION:	That the Report dated March 10, 2009, from the Commission Planning and Building regarding the application to amend the Official Plan from "General Commercial" to "Residential Hig Density II – Special Site" and to change the Zoning of By-law 0225-2007 from "C2" (Neighbourhood Commercial) to "C2 – Exception" (Neighbourhood Commercial) and "RA5 - Exception" (Residential Apartments), to permit a 3 st medical office building with retail at grade; a 20 storey, 255 apartment building; an 18 storey, 175 unit apartment building	e gh w torey unit

storey, 135 unit apartment building and 46 townhouse units under file OZ 06/019 W7, Gemini Urban Design (Cliff) Corp., 2021 - 2041 Cliff Road, be received for information. **BACKGROUND:** The above-noted applications have been circulated for technical comments. Community meetings have been held and are addressed in more detail under the Community Issues section of this report. The original applications were submitted on September 27, 2006. After receiving comments from the City and stakeholders, the applicant subsequently submitted revised development concepts, and amended the applications. 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 September 27, 2006 submitted: Revised: November 12, 2007, April 2, 2008, and December 2, 2008 **Existing Gross** 13 380 m<sup>2</sup> (144,026 sq. ft.) Floor Area: Commercial building: 3 storeys Height: Apartment buildings: 20 storeys 18 storeys 9 storeys Townhouse dwellings: 3 storeys Total: 34.3% Lot Coverage: Commercial Site: 20.7% Residential Site: 38.5% Floor Space Total: 2.43 Index: Commercial Site: 0.63 Residential Site: 2.97 Net Residential 280 units/ha 113.2 units/acre Density:

Landscaped	Total: 36.7%	
Area:	Commercial Site: 16.2%	
	Residential Site: 42.8%	
Gross Floor	Total: 68 988 m <sup>2</sup> (742,604 sq. ft.)	
Area:	Commercial Site: 4 141 m <sup>2</sup>	
	(44,574 sq. ft.)	
	Residential Site: 64 847 m <sup>2</sup>	
	(698,030 sq. ft.)	
Number of	565 Apartment units	
residential	46 Townhouse units	
units:	610 Total residential units	
Anticipated	1,432*	
Population:	*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	Commercial: 239 spaces	
Required:	Residential:	
-	Townhouse residents: 92 spaces	
	Townhouse visitor: 12 spaces	
	Apartment residents: 826 spaces	
	Apartment visitor: 113 spaces	
Parking	Commercial: 252 spaces	
Provided:	Residential:	
	Townhouse residents: 92 spaces	
	Townhouse visitor: 12 spaces	
	Apartment residents: 764 spaces	
	Apartment visitor: 113 spaces	
Supporting	Planning Justification Report	
Documents:	Site and Phasing Plan	
	Plan of Survey	
	Shadow Study	
	Traffic Impact Study	
	Functional Servicing Report	
	Environmental Noise Analysis	
	Phase II Environmental Subsurface	
	Investigation	
	Tree Inventory and Preservation Plan	

Site Characteristics	
Frontage:	Cliff Road: 161 m (528 ft.)
	North Service Road: 177 m (249 ft.)
Net Lot Area:	Total: 2.84 ha (7.02 ac.)
	Commercial Site: 0.66 ha (1.63 ac.)
	Residential Site: 2.18 ha (5.39 ac.)
Existing Use:	The site is occupied by a retail plaza, a
	fitness centre and medical office
	building, a tennis court, and parking.

## **Green Development Initiatives**

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

- The commercial building will incorporate white roof technology, high efficiency HVAC systems, high efficiency lighting systems (including motion sensors and master switches) and low-flow plumbing fixtures.
- The townhouses will be built in accordance with the Energy Star program standards.
- The apartment buildings could include storm water management and retention methods including green roofs wherever possible, high efficiency HVAC and lighting systems (including motion sensors and master switches) and low-flow plumbing fixtures. Locally-sourced materials could be used in the construction of the building, and the condominium could consider incorporating a car share program in its operation.

# **Neighbourhood Context**

The subject property is located at the northeast corner of North Service Road and Cliff Road. There are five apartment buildings on North Service Road to the west of the site, ranging in height from 6 to 8 storeys. An approximately 40 m (131 ft.) wide hydro/pipeline corridor abuts the site to the north; beyond this, the area is characterized by detached dwellings on 15 m to 18 m (50 ft. to 60 ft.) wide lots. To the immediate east there are detached dwellings, and there are four apartment buildings to the east of Pear Tree Road, each 6 storeys in height. The Queen Elizabeth Way is located on the south side of North Service Road. Information regarding the history of the site is found in Appendix I-1.

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The immediate surrounding land uses are described as follows:

North: Hydro/pipeline corridor, detached dwellings
East: Detached dwellings
South: Across North Service Road, the Queen Elizabeth Way
West: Across Cliff Road, a motor vehicle commercial facility and an eight-storey apartment building

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

"General Commercial" which permits establishments for the sale of goods and services, recreation, entertainment and accommodation to the general public. Residential, community and office uses are also permitted. Residential uses must be combined with commercial uses.

## The Planning Act and the Provincial Policy Statement

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. These changes require decisions to conform with provincial plans (including the *Growth Plan for the Greater Golden Horseshoe*) that are in effect on the decision date.

The 2005 Provincial Policy Statement (PPS) provides direction regarding intensification, redevelopment, compact form, transit supportive development, development in proximity to existing public facilities and infrastructure, mixture of land use and the efficient use of land. The Provincial Policy Statement (PPS) will be considered in the evaluation of these applications.

## The Growth Plan for the Greater Golden Horseshoe

- 6 -

On June 16, 2006 the Province released the *Growth Plan for the Greater Golden Horseshoe, 2006* which was prepared under the *Places to Grow Act, 2005*. The Growth Plan conceptually identified 25 Urban Growth Centres in the Greater Golden Horseshoe and established minimum density targets for each. An Urban Growth Centre was identified for the Mississauga City Centre and a minimum target of 200 residents plus jobs per hectare (80 per acre) was established.

On April 2, 2008, the Ministry of Public Infrastructure Renewal released the *Proposed Size and Location of Urban Growth Centres in the Greater Golden Horseshoe*. Subsequently, the approximate size and location of each of the 25 Urban Growth Centres, including Mississauga's, were confirmed in a report titled *Size and Location of Urban Growth Centres in the Greater Golden Horseshoe* by the Ministry of Energy and Infrastructure.

The subject lands are not included in Mississauga's Urban Growth Centre.

### **Residential Intensification Policies**

On October 26, 2006, City Council adopted OPA #58 which provides Residential Intensification Interim Policies that directs residential intensification principally to the Urban Growth Centre. However, because of an appeal of these policies to the Ontario Municipal Board (OMB) as they pertain to the subject lands, the previous policy framework under Section 3.2.3.8 applies. To date, no hearings have been scheduled by the OMB concerning this matter.

Section 3.2.3.8 encourages residential intensification in the form of more compact development and higher densities in appropriate development areas, 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.

# Cooksville District Policies of Mississauga Plan Development Concept

- 7 -

Section 4.8.2 of the Cooksville District Policies of Mississauga Plan describes the District as a generally stable, established area and the focus of the Plan on recognizing the scale and enhancing the character of existing neighbourhoods.

Specific sites that are appropriate for redevelopment, infilling or intensification should be developed in a manner that is both functionally and visually compatible with the character of existing neighbourhoods. Higher densities are encouraged near the Cooksville GO Station and along major arterial roads where existing infrastructure and services can be utilized.

## **Urban Design Policies**

The Cooksville District Policies of Mississauga Plan provide Urban Design policies for the Cooksville Node only. As the subject lands are not located within the Node, these policies do not apply, and therefore one must defer to the General Policies – Urban Design of Mississauga Plan.

Section 3.18 of Mississauga Plan provides general guidance concerning urban design, recognizing that consideration must be given to the specific circumstances of the Planning District. These policies direct that building and site design will be compatible with site conditions, the surrounding context, features, and surrounding landscape, and the intended 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;

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- 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.

## **Proposed Official Plan Designation and Policies**

"Residential High Density II – Special Site" to permit apartment and townhouse development up to a maximum Floor Space Index (FSI) of 2.97 times the lot area. The Special Site policy seeks to permit townhouses in a High Density Residential II designation, whereas only apartment dwellings would be permitted. The Special Site Policy also seeks to increase the maximum permitted density in the Cooksville Planning District to an FSI of 2.97, whereas the Residential High Density II designation permits development within a range of 1.5 to 2.9 FSI.

## **Existing Zoning**

"C2" (Neighbourhood Commercial), which permits retail, service commercial uses, recreation and entertainment establishments.

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

"C2 – Exception" (Neighbourhood Commercial) to permit retail, service commercial uses, recreation and entertainment establishments.

"RA5 - Exception" (Residential Apartments), to permit apartment and townhouse development.

The proposed standards and site development schedules are attached as Appendix I-9 of this report.

## **COMMUNITY ISSUES**

Planning and Building Department staff met and held an information session concerning the applications with representatives of the Cooksville Munden Park Residents' Association on December 13, 2006. Staff also attended a community meeting held by Ward 7 Councillor Iannicca on June 7, 2007.

The following is a summary of the comments expressed by the Community:

- Retention of the commercial use of the site is desirable as it serves a community need, particularly the fitness and medical facility;
- The high-density residential nature of the proposal is not in keeping with the form of the surrounding residential area and its zoning;
- The increase in density would create a social impact in the area, both in terms of community character and impact on community services (schools, hospitals, public transit, emergency services);
- A perception of an increased crime rate and impacts on property values as a result of lower cost housing;
- Traffic impact and pedestrian safety;
- Shadow impacts;
- The phasing of development will contribute to a prolonged construction period, impacting surrounding properties.

After the Public Meeting is held, a future Supplementary Report will respond to matters raised by the community.

# **DEVELOPMENT ISSUES**

Agency comments are summarized in Appendix I-8 and school accommodation information is contained in Appendix I-9. Based

on the comments received and the applicable Mississauga Plan policies the following matters will have to be addressed:

- The appropriateness of the proposed residential density with consideration for the surrounding land uses, character, and the City's urban form;
- Site layout and urban design matters including the height, bulk and massing of the apartment buildings; the distribution of buildings and site elements; and the relationship of the buildings' form to the surrounding context;
- The appropriateness of the proposed "Residential High Density I - Special Site" land use designation, in light of the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the general policies of Mississauga Plan and the surrounding development;
- The appropriateness of the proposed "C2 Exception" and "RA5 – Exception" zone provisions, in light of the policies of Mississauga Plan and the surrounding development;

# **OTHER INFORMATION**

# **Development Requirements**

In conjunction with the proposed development, there are certain other engineering matters with respect to servicing, shared facilities and acoustical mitigation which will require the applicant to enter into appropriate agreements with the City.

s will be payable in keeping with the
pplicable Development Charges By-law of
nancial requirements of any other official
th the development of the lands.
1

**CONCLUSION:** 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 the Cooksville District Land Use Map Appendix I-4 - Excerpt of the Existing Land Use Map Appendix I-5 - Concept Plan Appendix I-6 - Elevations/Renderings Appendix I-7 - Zone Provisions Appendix I-8 - Agency Comments Appendix I-9 - School Accommodation Appendix I-10 - General Context Map

Edward R. Sajecki Commissioner of Planning and Building

Prepared By: Hugh Lynch, Development Planner

K:\WPDATA\PDC1\OZ06019w7info.hl.doc\hr

# Gemini Urban Design (Cliff) Corp.

# File: OZ 06/019 W7

# Site History

- May 5, 2003 Mississauga Plan comes into force and effect, with the exception of certain policies that were appealed to the Ontario Municipal Board. The subject lands are designated "General Commercial".
- September 27, 2006 Applications to amend the Official Plan and Zoning By-law are submitted by Korsiak and Company Ltd. on behalf of Gemini Urban Design (Cliff) Corp.
- September 27, 2006 By By-law 0389-2006, City Council adopts OPA #58, the Residential Intensification Interim Policies.
- October 13, 2006 The policies of OPA #58 as they pertain to 2021-2041 Cliff are appealed to the Ontario Municipal Board by Gemini Urban Design (Cliff) Corp.
- October 26, 2006 OPA #58 comes into force and effect, with the exception of those sites under appeal.
- 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 "C2" (Neighbourhood Commercial).







DESIGN FILE



NAL SITE PLAN	
CE 9 STORY CONDO GE & TOWNHOUSES	
SITE 3 MENT TOWERS	
WNHOUSES	
PROPOSED ZONING -	11.26.08 FP REV. SITE PLAN AND STATISTICS PER PARKING STUDY
8 sq.m/ 2.94 Ha /7.27 Ac	10.06.08 FP REV. SITE PLAN AND STATISTICS
GHT TRIANGLE 1103 sq.m.	3.12.08 FP REV. SITE PLAN AND STATISTICS
33 Ha / 7.00 Ac DAYLIGHT TRIANGLE)	2.14.08 FP REV. SITE PLAN RESIDENTIAL ELEMENTS
68988 sq.m.	12.11.07 FP PER QUADRANGLE LATEST PLANS
9725 sq.m. 34.3%	
10393 sq.m. 36.7%	
8227 sq.m. 29.0%	
G IS BASED ON	guadrangle
XOSS LEASABLE AREA X 5.4 = 67	quauranyre
X 0.+ - 0/	ARCHITECTS LIMITED
ROSS FLOOR AREA X 6.5 = 86	
	380 Wellington St. W. Toronto, Ontario
ROSS FLOOR AREA           X 6.5 =         86	T416 598 1240 F416 598 3123
070	
239	flanagan
ERGROUND) 252	
C & NEW 4.5m TOWNHOUSES	beresford
BUILDING (C) drawings	& patteson
213 DUND)	
	architects
cture for 20 units 40 40	70 Silton Road, Unit1,
ARKING)	Woodbridge, Ontario
20 X 0.25=5 5 5	L4L 8B9 Tel. (905) 265–2688
258	Fax. (905) 265-2685
A+B & NEW 4.5M TOWNHOUSES (A+B)	
drawings 664	GEMINI URBAN
ROUND)	
cture for 26 units = 52	DESIGN
52 ARKING)	
0.25=6.5 7 7	(CLIFF) CORP.
723	
1233	70 CONNIE CRESCENT, UNIT 1 Concord, ontario
	L4K 1L6
<u>_</u>	Ph.(905)669-4483, Fax (905)669-3995
G 1379 sq.m.	
1381 sq.m. 1381 sq.m.	2021 CLIFF ROAD
4141 sq.m.	
APARTMENT BUILDING	PROPOSED COMMERCIAL,
11074 sq.m.	CONDOMINIUM APARTMENT
2969 sq.m.	
14043 sq.m.	AND
NHOUSES	CONDOMINIUM TERRACE
50804 sq.m.	UNIT DEVELOPMENT
68988 sq.m.	
$\frac{611 \text{ UNITS}}{2.84 \text{ HA}} = 215.2 \text{ UpHA}$	
7.0m 12.0m	
EA)	04-769
68988 sq.m.	SCALE: 1:500 PHASE 3
28345 sq.m. 2.43	NOVEMBER 26, 2008
	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, _,

**Appendix I-5** 





2021 Cliff Road Mississauga, Ontario Project No. 06072 November 2008

Appendix I-6 Page 1 of 5

VIEW FROM SOUTHWEST







2021 Cliff Road Mississauga, Ontario Project No. 06072 November 2008

Appendix I-6 Page 2 of 5

VIEW FROM NORTHEAST






2021 Cliff Road Mississauga, Ontario Project No. 06072 November 2008

# COURTYARD VIEW FROM NORTHWEST



quadrangle ARCHITECTS LIMITED

Appendix I-6 Page 3 of 5



J







FRONT ELEVATION BLOCK 5

70 Silton Road, Unit1, Woodbridge, Ontario L4L 8B9

Tel. (905) 265—2688 Fax. (905) 265—2685

04-769



SEPT 25 2008

# File: OZ 06/019 W7

### **Proposed Zoning Provisions**

# Proposed RA5-Exception Zone (Residential lands):

	Required Zoning By-law Standard	Proposed Standard	
Maximum Floor Space Index:	2.90	2.97	
Minimum Landscaped Area:	40 % of the lot area	36 % of the lot area	
Parking, Townhouse Units	2.0 residents spaces per unit	2.0 residents spaces per unit	
	0.25 visitor spaces per unit	0.25 visitor spaces per unit	
Parking, Apartment Units	<ul> <li>1.00 resident space per bachelor unit</li> <li>1.25 resident spaces per one-bedroom unit</li> <li>1.40 resident spaces per two-bedroom unit</li> <li>1.75 resident spaces per three-bedroom unit</li> <li>0.20 visitor spaces per unit</li> </ul>	<ul><li>1.2 resident spaces per unit</li><li>0.20 visitor spaces per unit</li></ul>	
Minimum setback to underground parking structure from any lot line:	3.0 m (9.8 ft.)	0.0 m	
Maximum Gross Floor Area per storey (apartments):	1 000 m <sup>2</sup> (10,764 sq. ft.) for each storey above 12 storeys	1 050 m <sup>2</sup> (11,302 sq.ft.) for each storey above 6 storeys	
Minimum dwelling unit width (townhouses):	5 m (16.4 ft.)	4.5 m (14.8 ft.)	

Site development will comply with the proposed schedule.



# File: OZ 06/019 W7

# Proposed C4-Exception Zone (Commercial lands):

	<b>Required Zoning By-law</b>	Proposed Standard	
	Standard		
Maximum Gross Floor Area – Non	12 000 m <sup>2</sup>	$4\ 200\ m^2$	
residential:	(129,171 sq. ft.)	(45,210 sq. ft.)	
Minimum Side Yard Setback :	<ul><li>6.0 m (19.7 ft.) adjacent to a residential zone,</li><li>4.5 m (14.8 ft.) adjacent to a utility zone</li></ul>	3.5 m (11.5 ft.)	
Minimum depth of a landscape buffer adjacent to a utility zone:	3 m (9.8 ft.)	2 m (6.7 ft.)	
Minimum depth of a landscape buffer adjacent to any other lot line:	4.5 m (14.8 ft.)	2.5 m (8.2 ft.)	

Site development will comply with the proposed schedule.



# File: OZ 06/019 W7

# **Agency Comments**

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

Agency / Comment Date	Comment
Ministry of Transportation (January 5, 2009)	No objection to the proposed rezoning, however the Ministry has undertaken a Feasibility Study for the widening of the QEW in this area to accommodate the introduction of HOV lanes. Until the Ministry's plans are finalized and an Environmental Assessment is completed, a 14 m (46 ft.) setback from the north property limit of the North Service Road along the full frontage of the property will be required.
Region of Peel (January 26, 2009)	<ul> <li>Municipal water service consists of a 150 mm (6 in.) watermain on Cliff Road and a 250 mm (9.5 in.) sanitary sewer on North Service Road, east of the subject property.</li> <li>A Revised Functional Servicing Report (FSR) has been reviewed and additional information respecting domestic water demand calculations, fire flow water demand</li> </ul>
Dufferin-Peel Catholic District School Board and the Peel District School Board (January 5, 2009 and February 25, 2009)	calculations, and a hydro flow test to confirm water availability is required. The School Boards have 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
reoluary 23, 2009)	<ul><li>applied for this development application.</li><li>In addition, if approved, the Boards require warning clauses be included in all offers of purchase and sale:</li><li>a) Whereas, despite the best efforts of the Dufferin-Peel</li></ul>
	Catholic District School Board and the Peel District School Board, sufficient accommodation may not be available for all anticipated students in 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.

# File: OZ 06/019 W7

-1

Agency / Comment Date	Comment
	b) 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 Boards.
City Community Services Department – Planning, Development and Business Services Division (December 19, 2008)	Should this application be approved, prior to by-law enactment, the applicant will be required to make a cash contribution for trail signage, and provide securities for street tree preservation. Further, prior to the issuance of building permits, cash-in-lieu of parkland dedication 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 the City's Policies and By-laws. This Department notes, future residents of the proposed
	development would be served by Munden Park (P-018) located on the north side of North Service Road, which is approximately 250 metres (820 ft) from the subject lands. This 0.95 ha (2.35 ac) park contains a play site and open play areas. Additionally, Cliff Park (P-014) located on the west side of Cliff Road and is approximately 270 metres (890 ft) from the subject lands would also service the proposed development. This 0.32 ha (0.79 ac) park contains open play areas."
City Community Services Department – Fire and Emergency Services Division (October 26, 2006,	The subject lands are within the response area of Fire Station 110. At present, average travel times to emergencies in this area of the City is 3 minutes based on normal traffic and weather conditions.
confirmed February 17, 2009)	Prior to site plan, servicing or building permit approval, the engineer is to demonstrate that an adequate water supply is available for external and interior fire protection systems and fire fighting operations. Access for fire fighting and rescue operations is required per the OBC and By-law 1036-81.
City Transportation and Works Department (February 6, 2009)	An updated Traffic Impact Study, dated March 2008 and a Noise Report and Addendum, updated December 1, 2009 have been received and are under review.
	The applicant has been advised to amend the site plan to illustrate the existing transit bus stops on Cliff Road, the required acoustical buffer block and additional details for any streetscape works proposed within the North Service Road

# File: OZ 06/019 W7

-

Agency / Comment Date	Comment		
	municipal boulevard. In addition, the applicant has been requested to provide clarification with respect to phasing of the development and the extent of the above ground encroachment.		
	The applicant was also advised that the Functional Servicing Report is to be updated to reflect the latest proposal, confirm capacity on the downstream storm sewer system and remove the proposed sanitary and storm sewer with the future road widening on North Service Road.		
	This department is also in receipt of a Phase 1 Environmental Site Evaluation and Phase 2 Geo-Environmental Subsurface Investigation prepared by Bruce A. Brown Associates. Prior to a Supplementary Report, soil testing and a Remedial Work Plan will be required to address how remediation of contaminated areas will be conducted. Furthermore, a letter of reliance shall be provided from the applicant's Environmental Consultant allowing the City to rely on the findings of all environmental reports.		
	Further detailed comments/conditions will be provided prior to the Supplementary Meeting pending the review of the foregoing.		
City Economic Development Office (January 6, 2009)	The proposed development does not represent a conversion of "Business Employment" or "Industrial" lands to non- employment uses. The amended proposal will not have a detrimental impact on the City's employment base or its ability to accommodate employment uses associated with the "General Commercial" land use designation elsewhere in the City.		
Mississauga Transit (February 6, 2009)	This site is currently serviced by Mississauga Transit Route 4 on Cliff Road. Route 4 provides daily weekday service, with peak hour frequencies of 32 minutes and off-peak hour frequencies of 47 minutes. Saturday service is provided with all day frequencies of 45 minutes. There is no Sunday/Holiday Service. The site plan is to be amended to show the existing transit stops. All existing transit stops and shelters will remain in their current location.		

# File: OZ 06/019 W7

-1

Agency / Comment Date	Comment	
Trans-Northern Pipelines Inc. (October 31, 2006)	Trans-Northern operates two petroleum products transmission pipelines within the Hydro corridor to the north of the site, and these pipeline lie within the southern 5 m (16.4 ft.) of the corridor. Trans-Northern expresses no objection to the applications, and recommends that dwellings be set back 10 m (33 ft.) from the northern property line, and that they be contacted prior to any excavation or construction works within 30 m (98.4 ft.), including the installation of perimeter fences.	
Other City Departments and External Agencies	<ul> <li>The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner:</li> <li>Canada Post</li> <li>Enersource Hydro Mississauga</li> <li>Hydro One Networks</li> </ul>	
	The following external agencies were circulated the applications but provided no comments: Bell Canada Conseil Scolaire de District Catholique Centre-Sud Conseil Scolaire de District Centre-Sud-Ouest Credit Valley Hospital Enbridge Gas Distribution Inc. Enbridge Pipelines French District Catholic School Board GO Transit Peel Regional Police Rogers Cable Trillium Health Centre	

# File: OZ 06/019 W7

### **School Accommodation**

The Peel District School Board		The Dufferin-Peel Catholic District School Board				
Student Yield:		•	• Student Yield:			
	57 30 57	Kindergarten to Grade 5 Grade 6 to Grade 8 Grade 9 to Grade 12		47 35	Junior Kinderga Grade 9 to Grad	
•	School Acc	commodation:	•	School Acc	commodation:	
	Munden Pa	rk Public School		St. Timoth	y Separate School	
	Enrolment: Capacity: Portables: Camilla Ro	269 331 0 ad Senior Public School		Enrolment: Capacity: Portables: St. Paul Se	condary School	511 331 6
	Enrolment: Capacity: Portables:	662 683 1		Enrolment: Capacity: Portables:		808 807 0
	Cawthra Pa	rk Secondary School				
*	Enrolment: Capacity: Portables:	1044 4				
Ec ca	* Note: Capacity reflects the Ministry of Education rated capacity, not the Board rated capacity, resulting in the requirement of portables.					



File: OZ 06/019 W7

### Recommendation PDC-0032-2009

#### PDC-0032-2009

- That the Report dated March 10, 2009, from the Commissioner of Planning and Building regarding the application to amend the Official Plan from `General Commercial' to `Residential High Density II - Special Site' and to change the Zoning of By-law 0225-2007 from `C2' (Neighbourhood Commercial) to `C2 - Exception' (Neighbourhood Commercial) and `RA5 - Exception' (Residential Apartments), to permit a 3 storey medical office building with retail at grade; a 20 storey, 255 unit apartment building; an 18 storey, 175 unit apartment building; a 9 storey, 135 unit apartment building and 46 townhouse units under file OZ 06/019 W7, Gemini Urban Design (Cliff) Corp., 2021 -2041 Cliff Road, be received for information.
- 2. That the correspondence from Andrew Gassmann for Cooksville Munden Homeowner's Association and Cliffway Focus Group Committee dated March 20, 2009 expressing concerns for the proposed Official Plan Amendment and Rezoning Applications for 2021-2041 Cliff Road, the northeast corner of North Service Road and Cliff Road under file OZ 06/019 W7, and the responding correspondence from Jim Levac of Korsiak & Company the applicant dated March 30, 2009, be received.
- 3. That the correspondence from D. Lynn Buckerfield, resident, dated March 27, 2009, Dennis and Annette Jones, residents, dated March 30, 2009, and Chunmin Pu, resident, dated March 29, 2009, expressing their concerns for the proposed Official Plan Amendment and Rezoning Applications for 2021-2041 Cliff Road, the northeast corner of North Service Road and Cliff Road under file OZ 06/019 W7, be received.
- 4. That the petition from residents of Cliff Road and surrounding neighbourhood area of Ward 7 stating their opposition to the proposed Official Plan Amendment and Rezoning Applications for 2021-2041 Cliff Road, the northeast corner of North Service Road and Cliff Road under file OZ 06/019 W7, be received.



# File: OZ 06/019 W7

Revised Development Proposal			
Revised	Amended April 5, 2011		
Applications	Amended August 30, 2011		
Submitted:	Amended December 6, 2011		
Height:	Retirement building: 11 storeys		
	Townhouses: 3 storeys		
	Commercial: 1 storey		
Lot Coverage:	Development site: 26.9%		
	Fitness Institute site: 43.2%		
Floor Space	Development site: 1.03		
Index:	Fitness Institute site: 0.72		
Landscaped	Development site: 27.4%		
Area:	Fitness Institute site: 21.9%		
Net Density:	100.5 units/ha (40.6 units/acre)		
Gross Floor	Retirement Building: 10 702 m <sup>2</sup> (115,195 sq. ft.)		
Area:	Commercial Building: $1\ 020\ m^2(10,979\ sq.\ ft.)$		
	Townhouses: 7 880 m <sup>2</sup> (84,820 sq. ft.)		
Number of	Retirement Building: 140 units		
units:	Townhouses: 54 units		
Anticipated	162 people*		
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.		
	*Figure excludes retirement dwelling building,		
	where 140 units are proposed.		
Parking	Retirement Building: 70		
Required:	Townhouses: 121		
	Fitness Institute/Medical Offices/New		
	Commercial Building: 420		

# File: OZ 06/019 W7

Revised Development Proposal				
Parking	Retirement Building:	58		
Provided:	Townhouses: 121			
	Fitness Institute/Medical	Offices/New		
	Commercial Building:	320 (includes 74 spaces		
		located within the		
		MTO 14 m		
		(46 ft.) setback)		
Supporting	Site Plan/Phasing Plan			
Documents:	<b>Building Elevations</b>			
	Floor Plans			
	Landscape Plan			
	Tree Plan			
	Functional Servicing Report			
	Traffic Impact Study			
	Shadow Study			
	Parking Appraisal Letter			
	Environmental Noise Analysis			

#### File: OZ 06/019 W7

### UPDATED AGENCY AND CITY DEPARTMENT COMMENTS

### **Ministry of Transportation**

In comments updated June 3, 2011, the Ministry advises that several years ago it had initiated the Greater Golden Horseshoe High Occupancy Vehicle (HOV) network study to identify the potential travel demand for the future HOV lane network in Southern Ontario. The QEW through Mississauga is identified as a long term corridor for HOV lane implementation. Preliminary design and class environmental assessment for the implementation of HOV lanes through Mississauga has not yet been undertaken. Without an approved preliminary design the Ministry states that it cannot comment on the impacts a future QEW widening will have on this development.

Although the improvements to the QEW through Mississauga are not on the Ministry's Southern Highways Program (2010-2014), these improvements were identified as "Planning for the Future" within the Southern Highways Program. This indicates that the improvements to the QEW through Mississauga are a significant priority for the period following the current program, specifically 2015 onwards. Protecting the 26 m (85.3 ft.) right-of-way for North Service Road will ensure that the Ministry will have sufficient property for the future QEW widening. Future proposals/applications should take into account the 26m (85.3 ft.) right-of-way with an additional 14 m (46 ft.) setback limit for all above and below grade structures and vital facilities.

### **Region of Peel**

In correspondence received January 9, 2012, the Region advised that their outstanding requirement concerning functional servicing is satisfactorily accommodated through the "H" Holding provision conditions applicable to the proposed zoning by-law.

### **City Transportation and Works Department**

In comments updated December 21, 2011, the Transportation and Works Department state that satisfactory Site Plan, Functional Servicing Report, Site Servicing and Grading Plan, Traffic Impact Study and Environmental Noise Analysis Addendum have been submitted.

### File: OZ 06/019 W7

The revised Traffic Impact Study dated March 2011, by Read, Voorhees & Associates in support of the revised development state that the added vehicular trips generated by this proposal will have limited impact on the surrounding road network and can be adequately accommodated.

A noise report and various addenda from Valcoustics Canada Ltd. confirm that with the appropriate acoustic mitigation measures and warning clauses, the development will be in compliance with City/Ministry of Environment (MOE) criteria for transportation noise courses. This Department recommends that an analysis of stationary noise sources impact from the proposed development on the adjacent residential lands to the east to be included in the detailed noise report prior to Site Plan approval.

The Functional Servicing Report notes that the storm and sanitary sewers are proposed to be located on private property but within the Ministry of Transportation (MTO) 14 m (46 ft.) setback. Notwithstanding the above, the applicant has stated that the storm and sanitary sewers will be located within the paved portion of the North Service Road right-of-way in the event that the MTO has an objection to the proposed location of these sewers.

In the event that these applications are approved by Council, the Transportation and Works Department has no objection to the applicant's request that the application be amended to include an "H" Holding provision. All outstanding conditions of By-law Enactment are to be satisfied as a condition of lifting the "H" Holding provision.

### **School Accommodation**

In comments updated May 18, 2011 the Dufferin-Peel Catholic District School Board responded 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 these development applications.

In comments dated December 12, 2011, the Peel District School Board indicated that there is no available capacity to accommodate students generated by these applications. Accordingly, the Board has requested that in the event that the applications are approved, the standard school accommodation condition in accordance with City of Mississauga Resolution 152-98, adopted by Council on May 27, 1998 be applied. Among other things, this condition

### File: OZ 06/019 W7

requires that warning clauses with respect to temporary school accommodation and transportation arrangements be included in the Development and/or Servicing Agreements.

The rezoning application proposes that an "H" Holding provision condition be applied to the lands to manage zoning by-law implementation. It is recommended that the proposed "H" Holding provision conditions include the School Accommodation criteria. (See the "H" Holding Provision section below for additional information.).

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### MISSISSAUGA OFFICIAL PLAN POLICIES AND APPEALS

The applications were first submitted to the City on September 27, 2006.

On September 27, 2006, City Council approved Official Plan Amendment (OPA) 58. This amendment added interim intensification policies to Mississauga Plan to protect stable neighbourhoods from inappropriate development and direct growth to the Urban Growth Centre. Gemini Urban Design (Cliff) Corp. subsequently appealed OPA 58 to the Ontario Municipal Board (OMB) as it relates to 2021-2041 Cliff Road.

Subsequently, on June 10, 2009, City Council approved OPA 95. This OPA seeks to bring Mississauga Plan into conformity with the *Growth Plan for the Greater Golden Horseshoe* by updating the Official Plan's intensification, transportation and housing policies, among other matters. Gemini Urban Design (Cliff) Corp. appealed OPA 95 to the OMB as it relates to 2021-2041 Cliff Road.

The new Mississauga Official Plan (2011) was adopted by City Council on September 29, 2010 and partially approved by the Region of Peel on September 22, 2011. Among other parties, Gemini Urban Design (Cliff) Corp. appealed Mississauga Official Plan in its entirety as it relates to its lands because of concerns with its intensification policies, the "Mixed-Use" designation and policies, policies related to the redevelopment of commercial sites, and the designated rightof-way width of North Service Road. As a result of these appeals, the current Mississauga Plan (2003) remains in effect.



#### **Cliffway Plaza**

SENIORS BUILDING - FRONT ELEVATION

2021 Cliff Road Mississauga, Ontario Project No. 06072 29 March 2011

毁 SΒ Κ STRYBOS BARRON KING

5285 SOLAR DRIVE, SUITE 201. MISSISSAUGA, ONTARIO, L4W 588 T: 416.695.4949 F: 416.695.4955 WWW.STRYBOS.COM

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architects

quadrangle ARCHITECTS LIMITED





**Appendix S-9** 

# Gemini Urban Design (Cliff) Corp.

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# **Revised School Accommodation**

Th	The Peel District School Board			The Dufferin-Peel Catholic District School Board		
• Student Yield:		•	• Student Yield:			
	7 3 3	Kindergarten to Grade 5 Grade 6 to Grade 8 Grade 9 to Grade 12/OAC		4 2	Junior Kindergarten to Grade 8 Grade 9 to Grade 12/OAC	
•	School Acc	commodation:	•	School Acc	commodation:	
	Munden Pa	rk Public School		St. Timothy	/	
	Enrolment: Capacity: Portables:	283 291 0		Enrolment: Capacity: Portables:	479 331 0	
	Camilla Ro	ad Sr.		St. Paul		
	Enrolment: Capacity*: Portables: Cawthra Pa	671 683 1 rk Secondary School		Enrolment: Capacity: Portables:	757 807 0	
	Enrolment: Capacity: Portables:	1,311 1,044 4				
	* Note: Capacity reflects the Ministry of Education rated capacity, not the Board rated capacity, resulting in the requirement of portables.					