



# Corporate Report

Clerk's Files

Originator's  
Files OZ 10/008 W4

**PDC** JUN 11 2012

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**DATE:** May 22, 2012

**TO:** Chair and Members of Planning and Development Committee  
Meeting Date: June 11, 2012

**FROM:** Edward R. Sajecki  
Commissioner of Planning and Building

**SUBJECT:** **Official Plan Amendment and Rezoning Applications**  
**To permit a 169 unit, 6 storey retirement dwelling with a**  
**7<sup>th</sup> 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**

**Supplementary Report**

**Ward 4**

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**RECOMMENDATION:** That the Report dated May 22, 2012, from the Commissioner of Planning and Building regarding the applications under File OZ 10/008 W4, Daraban Holdings Limited, 3640-3658 and 3670 Cawthra Road, be adopted in accordance with the following:

1. That the application to amend Mississauga Plan from "Residential Medium Density I" and "Motor Vehicle Commercial" to "Residential High Density II – Special Site" to permit a 169 unit, 6 storey retirement dwelling with a 7<sup>th</sup> storey mechanical room and amenity area, be refused.

2. That the application 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<sup>th</sup> storey mechanical room and amenity area in accordance with the proposed zoning standards described in the Information Report, be refused.
3. That the Planning and Building Department recommended alternative proposal to amend Mississauga Plan from "Residential Medium Density I" and "Motor Vehicle Commercial" to "Residential High Density I – Special Site" to permit a retirement dwelling with a maximum height of 6 storeys and a maximum Floor Space Index of 1.4, be approved.
4. That the Planning and Building Department recommended alternative proposal to change the Zoning from "RM4" (Townhouse Dwellings) and "C5-3" (Motor Vehicle Commercial - Exception) to "RA1-Exception" (Apartment Dwellings - Exception) to permit a retirement dwelling with a maximum height of 6 storeys and maximum Floor Space Index of 1.4 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.
5. That Council direct Legal Services, representatives from the appropriate City Departments and necessary consultants, to attend any Ontario Municipal Board proceedings which may take place in connection with the applications and in support of the recommendations outlined in the report dated May 22, 2012.
6. That City Council provide the Planning and Building Department with the authority to instruct Legal Services staff on any modifications deemed necessary, where required, through the Ontario Municipal Board hearing process.

**REPORT  
HIGHLIGHTS:**

- The applicant has appealed the Official Plan Amendment and Rezoning applications to the Ontario Municipal Board for failure to make a decision within 180 days. The pre-hearing conference is scheduled for July 13, 2012;
- The applicant's Official Plan and Rezoning applications as proposed are recommended for refusal due to the excessive density and scale for the subject site;
- An alternative proposal by the Planning and Building Department is recommended for approval to allow for a retirement dwelling at a reduced Floor Space Index of a maximum of 1.4, rather than 1.7, to allow for improvements in the building design (height/massing/articulation), and surface treatments (landscaping, amenity space, and parking);
- Staff are seeking direction from Council to attend any Ontario Municipal Board proceedings which may take place in connection with the applications and in support of the recommendations outlined in this report.

**BACKGROUND:**

A public meeting was held by the Planning and Development Committee on January 9, 2012, 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-0003-2012 which was subsequently adopted by Council and is attached as Appendix S-2.

Subsequent to the Public Meeting, meetings were held with the applicant and owner to attempt to have the proposal revised to address some of the design concerns, including a meeting with Mayor McCallion, Councillor Dale, and senior staff.

On March 9, 2012, the owner appealed the applications to the Ontario Municipal Board (OMB) due to failure by Council to make a decision within 180 days, pursuant to subsection 34(11) of the Planning Act. The OMB pre-hearing conference is scheduled for July 13, 2012.

**COMMENTS:**

See Appendix S-1 - Information Report prepared by the Planning and Building Department.

**COMMUNITY ISSUES****Comment**

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.

**Response**

The proposed building height exceeds the predominantly two storey existing development in the area. The applicant has provided drawings showing an angular transition of 45 degrees to the adjacent low rise residential areas will be met, which is a widely accepted urban design measure and is included in the City's new Official Plan for providing an appropriate transition of medium or high density residential development to low density residential development. This approach achieves a reasonable separation, seeks to minimize overlook and loss of privacy, reduces obstructed views, and allows for light penetration.

A Sun/Shadow Study was also submitted which shows no shadow impacts upon the adjacent properties.

However, sun shadow and angular planes are not the only considerations. The mass of the building remains excessive and should be reduced and reconfigured to reduce its impact on adjacent properties and establish a better contextual relationship for the proposed building with the broader development pattern of the area, including the Cawthra Road corridor.

**Comment**

There was concern with the separation distance between the existing residential dwellings on Holden Crescent and the proposed retirement dwelling.

**Response**

The distance separation between the closest point of the proposed retirement dwelling and the property limits of the adjacent lands on Holden Crescent is 13.8 metres (42.3 ft.), and a 4.5 metre (14.8 ft.) landscaped buffer is proposed immediately abutting the western property line.

**Comment**

There were concerns regarding traffic impacts, specifically given the existing traffic volumes on Cawthra Road.

**Response**

A Traffic Impact Study was submitted with the applications and found no negative impacts. Both the Burnthamthorpe Road and Cawthra Road accesses are limited to right-in/right-out movements and were found to function acceptably.

**Comment**

Safety concerns were expressed for pedestrians crossing at the intersection of Cawthra Road and Burnhamthorpe Road East.

**Response**

There will be some safety concerns for pedestrians due to the express right turn lanes until such time as the express lanes are removed. The applicant is not responsible for the intersection improvements, but they are part of the Burnhamthorpe Road upgrades planned by the City for this year.

**Comment**

There was concern whether the amount of parking provided for the development would be sufficient.

**Response**

A parking assessment was provided by the applicant from Cole Engineering. The assessment evaluated parking rates at several existing retirement facilities, and recommends a parking rate of 0.33 spaces per unit. Staff reviewed this analysis and determined that a greater minimum rate of 0.40 spaces per unit would be appropriate given the recommendations of the Cansult Consulting report for retirement facilities in the Greater Toronto Area (December 2005) and the City's experience with retirement home development in recent years.

**Comment**

Lack of amenity space, particularly at grade, for seniors.

**Response**

The proposed outdoor patio along Cawthra Road cannot be supported by staff as an appropriate amenity space, as the noise from road traffic exceeds Ministry of Environment (MOE) criteria. There is a roof top amenity area of 702 m<sup>2</sup> (7,556 sq.ft.) proposed, which has sound protection proposed to meet MOE criteria, and indoor amenity areas amounting to 1,929 m<sup>2</sup> (20,763 sq.ft.). Ground level landscaping and amenity plays an important role in the quality of life for residents. The development would benefit from additional ground level amenity to serve the residents in the absence of accessible parkland nearby.

**PLANNING COMMENTS****Official Plan**

The proposal requires an amendment to the Mississauga Plan Policies for the Mississauga Valleys District as outlined in the Information Report (Appendix S-1).

Section 3.2.3.1 of Mississauga Plan states that the urban form is to be characterized by lower densities in the interior of communities with higher densities along major roads and near concentrations of retail commercial, community, and transportation facilities. As the

subject property is along two major roads (Burnhamthorpe Road East and Cawthra Road), and across from two retail plazas with a mixture of uses and a church, this policy would support some additional density for the site, however the proposed density of 1.7 and a Residential High Density II designation is excessive. Within the Mississauga Valleys Planning District, Residential High Density II lands are generally located in the vicinity of Hurontario Street, and there are no examples of Residential High Density II lands abutting low density residential development.

The property is not located within an intensification area. Outside of intensification areas, Section 3.13.5.3 allows for infilling and redevelopment, and intensification 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 the Official Plan.

The surrounding community is characterized by detached and semi-detached dwellings. There are some non-residential uses in the vicinity, notably one and two-storey commercial properties on the east side of Cawthra Road and a place of religious assembly. From a land-use perspective, a retirement dwelling enhances the existing development of the community by providing housing options for seniors, but the degree of intensification must provide sufficient on-site enhancements such as landscaping and buffering and a scale of building that respects the surrounding community context.

New developments are to provide for transition in built form and use through appropriate height, massing, character, architectural design, siting, setbacks, parking and public and private open space and amenity space (Section 3.13.6.17). While the applications have demonstrated that an angular transition of 45 degrees to the adjacent low rise residential areas will be met by the proposal, its contextual response is insufficient, given its bulk and mass compared to other buildings in the area, deficiency in the amount and quality of open space, and parking that is not appropriately located.

In accordance with Section 3.13.6.23, the development should minimize the use of surface parking in favour of underground parking. All surface parking should be screened from the street. This is intended to allow for more landscaping to green development, reduce the urban heat island effect, as well as improve aesthetics. There is no underground parking provided, and surface parking spaces are located in front of the building exposed to the street, adjacent to existing residences and have the effect of reducing the opportunity for on-site landscaped open space.

In summary, although the proposed retirement dwelling use could be acceptable at this location, the proposed amendment cannot be supported as the density, scale and massing of the proposal is excessive for the given context. The density being sought has led to constraints in the surface treatments of parking, outdoor amenity area, landscaping, and buffers.

### **New Mississauga Official Plan**

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; therefore, the existing Mississauga Plan (2003) remains in effect. While the existing Mississauga Plan (2003) is the plan of record against which the application is being reviewed, regard should also be given to the new Mississauga Official Plan (2011).

### **Alternative Development Proposal**

The Planning and Building Department have reviewed the development proposal in view of the Official Plan Policies, and determined that the proposal is seeking a density and mass which exceeds what the site can accommodate to provide sufficient parking, landscaping and buffering of adjacent lands, and therefore should be refused. Alternatively, a reduced density and Floor Space Index in accordance with the "Residential High Density I" designation is recommended by the Planning and Building Department.



"Residential High Density I" permits apartment dwellings at a Floor Space Index (FSI) of 0.9 – 1.4, rather than the requested FSI of 1.7 within the "Residential High Density II" designation. A special site policy would still be required to permit only a retirement dwelling and/or nursing home including accessory uses such as a chapel, medical office and tuck shop at a maximum height of 6 storeys.

Limiting the permitted FSI of the site to 1.4 would provide for the following:

- A reduction in height for a portion of the building, providing an opportunity to reduce its massing, particularly along its southern portion. The greatest height should be situated at the intersection along Burnhamthorpe Road East, and the building could be stepped down to the south along Cawthra Road to provide a more gradual transition to improve its integration into the predominantly lower built form character of the community.
- Improvements to the building's appearance to Cawthra Road by reducing its mass and improving its articulation.
- A reduction in the overlook condition upon the adjacent residential community.
- The reduction in density would reduce the amount of required parking, providing for the removal of parking along the street edge.
- Additional surface area would be made available to provide for outdoor amenity space in a suitable location.
- Improved landscape and buffering opportunities.

### **Zoning**

The proposed "RA2-Exception" (Apartment Dwellings - Exception) zone as proposed by the applicant is not acceptable for the reasons noted above.

An alternative "RA1-Exception" (Apartment Dwellings - Exception) zone is being recommended by the Planning and Building Department, with exceptions for the following:

- to only permit a retirement dwelling;
- maximum height of 6 storeys;
- maximum Floor Space Index of 1.4;
- minimum building setback to Burnhamthorpe Road East of 7.0 m (23 ft.);
- minimum building setback to Cawthra Road of 6.0 m (19.7 ft.)
- minimum landscape buffers of: 7.0 m (23 ft) to Burnhamthorpe Road East; 6.0 m (19.7 ft.) to Cawthra Road; 4.5 m (14.8 ft.) to the west lot line; and 3.0 m to the south lot line (9.8 ft.); and
- minimum parking rate of 0.4 spaces per unit.

**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 Amendment and rezoning applications should not be approved as submitted for the following reasons:

1. The applicant's proposal is of a mass, scale, and density which is excessive for the site and character of the area.
2. A reduction in the proposed density and scale of the building would provide a better transition to surrounding low rise residential lands, and allow for an improved surface layout with respect to parking and landscaping.
3. The alternative proposal by the Planning and Building Department would be in keeping with the goals and objectives of the Official Plan

**ATTACHMENTS:** Appendix S-1: Information Report  
Appendix S-2: Recommendation PDC-0003-2012

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Edward R. Sajecki  
Commissioner of Planning and Building

*Prepared By: Jonathan Famme, Development Planner*



# Corporate Report

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<sup>th</sup> 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<sup>th</sup> 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:

<b>Development Proposal</b>	
Applications submitted:	August 5, 2010
Applications deemed complete:	August 31, 2010
Height:	6 storeys with a 7 <sup>th</sup> storey mechanical room and amenity area.
Lot Coverage:	32.6%
Floor Space Index:	1.7
Landscaped Area:	36.5 %
Net Density:	319 units/ha 129 units/acre
Gross Floor Area:	8 848.2 m <sup>2</sup> (95,241 sq. ft.)
Number of units:	169 retirement dwelling units
Anticipated Population:	413* *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)

<b>Development Proposal</b>	
Supporting Documents:	Planning Justification Report; 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.

<b>Site Characteristics</b>	
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;
- 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)**

**"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<sup>th</sup> 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.

#### 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

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.

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:

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

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

## 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

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Edward R. Sajecki  
Commissioner of Planning and Building

*Prepared By: Jonathan Famme, Development Planner*

**Daraban Holdings Limited**

**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).



**LEGEND:**



**SUBJECT LANDS**

**DATE OF AERIAL PHOTO: 3/20/2010**



**SUBJECT:**

**DARABAN HOLDINGS LIMITED**

EGLINTON	WEST	EGLINTON	AVENUE	EAST
HIGHWAY	STREET	No. 403		EASTGATE PKWY.
BURNHAMTHORPE RD. W.	BURNHAMTHORPE	ROAD	ROAD	ROAD
ST. LAWRENCE	HURONTARIO	CAWTHRA	TOMKEN	DOE
DUNDAS ST. WEST	DUNDAS	STREET	HUDSON	RAILWAY

**FILE NO:**

**OZ 10/008 W4**

**DWG. NO:**

**10008A.dgn**

**SCALE:**

**1:2500**

**PDC DATE:**

**2012 01 09**

**DRAWN BY:**

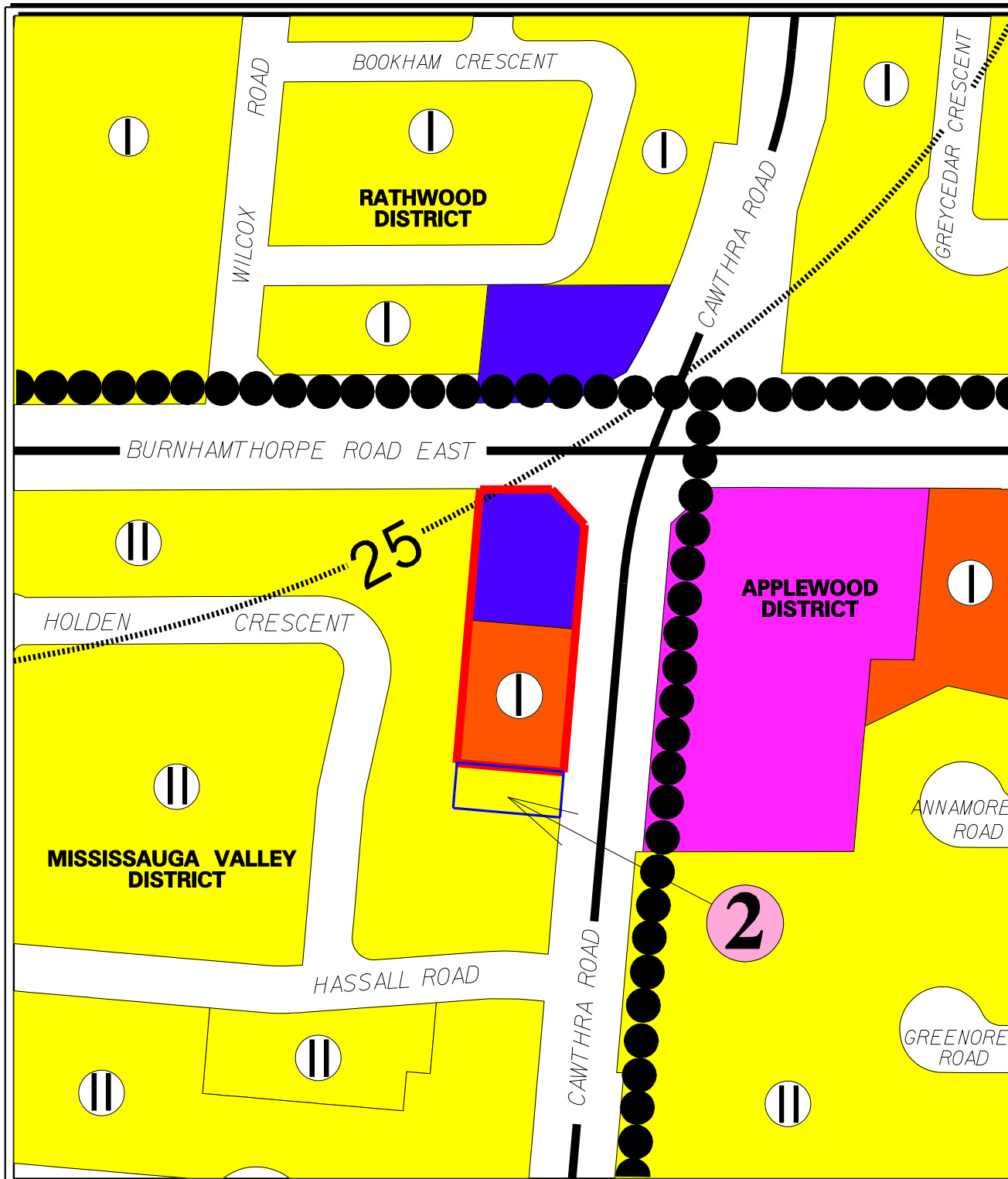
**B. KRUGER**

**APPENDIX 1-2**

**MISSISSAUGA**  
Planning and Building

*Produced by*  
**T&W, Geomatics**





# **PART OF MISSISSAUGA VALLEYS DISTRICT LAND USE MAP MISSISSAUGA VALLEYS DISTRICT POLICIES OF MISSISSAUGA PLAN**

## **LAND USE DESIGNATIONS**

- Residential- Low Density I
- Residential- Low Density II
- Residential- Medium Density I
- Residential- Medium Density II
- Residential- High Density I
- Residential- High Density II
- General Retail Commercial
- Convenience Retail Commercial
- Motor Vehicle Commercial
- Office
- Public Open Space
- Private Open Space
- Greenbelt
- Utility

## **TRANSPORTATION LEGEND**

- Arterial
- Major Collector
- Minor Collector
- Local Road
- Existing Commuter Rail
- GO Transit Station
- Major Transit Corridor

**Amendment No. 95 Appealed to the Ontario Municipal Board.**

**Delete and replace with Higher Order Transit Corridor**

## **LAND USE LEGEND**

- Regulatory Floodplain
- Cem - Cemetery
- 1996 NEP/2000 Composite Noise Contours
- Proposed Stormwater Management Facility
- Planning District
- Special Site Areas (See Special Site Policies)

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

**Amendment No. 95 Appealed to the Ontario Municipal Board**

**SUBJECT LANDS**

**SUBJECT:**  
**DARABAN HOLDINGS LIMITED**



**FILE NO:**  
**OZ 10/008 W4**

**DWG. NO:**  
**10008L.dgn**

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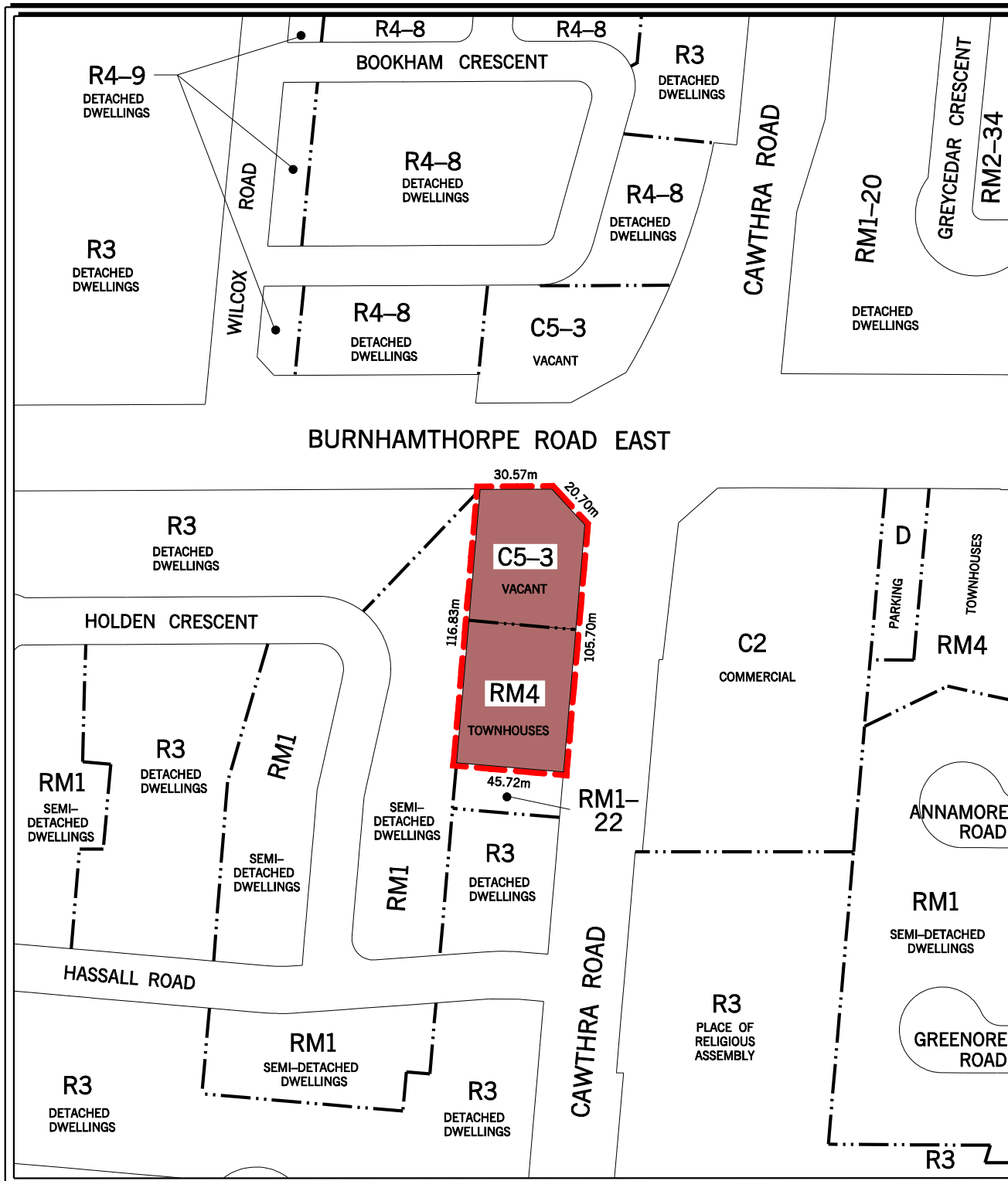
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**2012/01/09**

**DRAWN BY:**  
**B. KRUGER**

**APPENDIX I-3**

**MISSISSAUGA**  
**Planning and Building**

**Produced by**  
**T&W, Geomatics**



# LEGEND:



**SUBJECT LANDS**



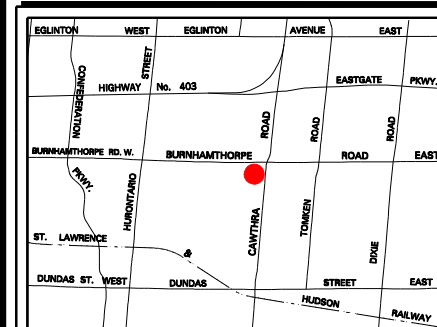
**PROPOSED OFFICIAL PLAN AMENDMENT FROM "RESIDENTIAL MEDIUM DENSITY I" AND "MOTOR VEHICLE COMMERCIAL" TO "RESIDENTIAL HIGH DENSITY II - SPECIAL SITE" AND PROPOSED REZONING FROM "RM4" (TOWNHOUSE DWELLINGS) AND "C5-3" (MOTOR VEHICLE COMMERCIAL - EXCEPTION) TO "RA2-EXCEPTION" (APARTMENT DWELLINGS - EXCEPTION) TO PERMIT A 169 UNIT, 6 STOREY RETIREMENT DWELLING WITH A 7TH STOREY MECHANICAL ROOM AND AMENITY AREA.**

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



## SUBJECT:

**DARABAN HOLDINGS LIMITED**



**FILE NO:**  
**OZ 10/008 W4**

**DWG. NO:**  
**10008R.dgn**

**SCALE:**  
**1:2500**

**PDC DATE:**  
**2012 01 09**

**DRAWN BY:**  
**B. KRUGER**

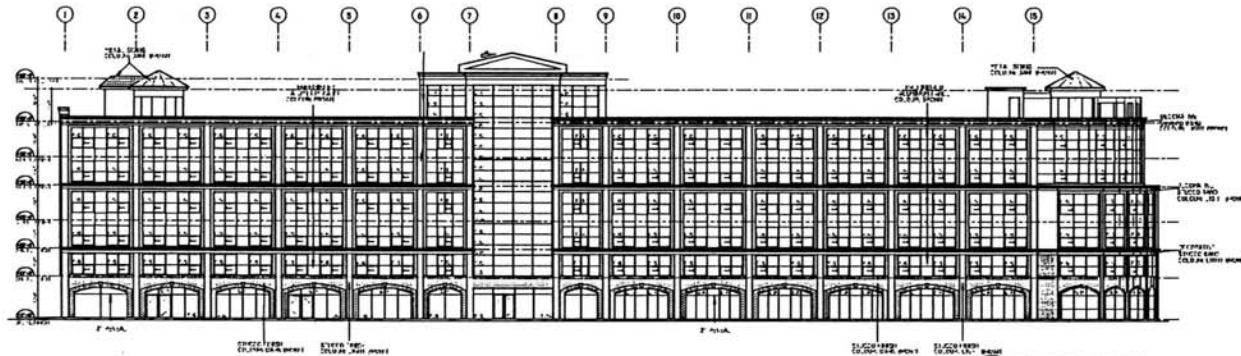
**APPENDIX 1-4**

**MISSISSAUGA**  
**Planning and Building**

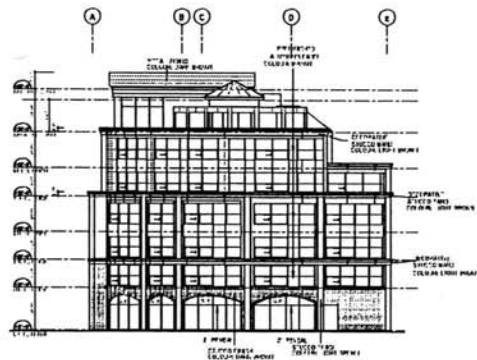
**Produced by**  
**T&W, Geomatics**







1 EAST ELEVATION  
A5.0 SCALE 1/16" = 1'-0"



2 NORTH ELEVATION  
A5.0 SCALE 1/16" = 1'-0"



3 SOUTH ELEVATION  
A5.0 SCALE 1/16" = 1'-0"



4 WEST ELEVATION  
A5.0 SCALE 1/16" = 1'-0"

CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE 2015 INTERNATIONAL BUILDING CODE (IBC) AND THE 2015 INTERNATIONAL PLUMBING AND MECHANICAL CODE (IMC). THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING DEPARTMENT. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING DEPARTMENT.

1	PROPOSED RETIREMENT HOME
2	3640-3670 CAWTHRA RD.
3	MISSISSAUGA, ONTARIO
4	DATE: AUGUST 11, 2011
5	SCALE: 1/16" = 1'-0"
6	DATE: JUNE 2008
7	PROJECT NO. 09-15

PROPOSED  
RETIREMENT HOME  
3640-3670 CAWTHRA RD.  
MISSISSAUGA, ONTARIO

WEB SURDYKA  
ARCHITECT INC.

3640 REELE STREET, 2ND FLOOR, 2ND FLOOR  
TORONTO, ONTARIO M6P 1A8  
TEL: (416) 593-5234 FAX: (416) 593-5241

ELEVATIONS

DATE: AUGUST 11, 2011	PROJECT NO. 09-15
SCALE: 1/16" = 1'-0"	
DATE: JUNE 2008	
PROJECT NO. 09-15	

**Daraban Holdings Limited****File: OZ 10/008 W4****Agency Comments**

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

<b>Agency / Comment Date</b>	<b>Comment</b>
Region of Peel (November 10, 2011)	<p>The Traffic Impact Study prepared by Cole Engineering dated July 26, 2010 for the proposal has been reviewed and the following comments are provided:</p> <p>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.</p> <p>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).</p> <p>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.</p> <p>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.</p>



Daraban Holdings Limited

File: OZ 10/008 W4

Agency / Comment Date	Comment
	<p>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.</p> <p>Reciprocal access easement must be established at accesses for future interconnection with the property to the south.</p> <p>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.</p> <p>Existing 250 mm (10 in.) diameter sanitary sewers are located on Burnhamthorpe Road East and Cawthra Road.</p> <p>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.</p> <p>A waste collection area comprised of a 6 m (19.7 ft.) wide by 6 m (19.7 ft.) long concrete pad is required.</p>
<p>City Community Services Department – Planning, Development and Business Services Division/Park Planning Section (November 18, 2011)</p>	<p>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.</p> <p>Prior to the Supplementary Report, a revised tree inventory and preservation plan will be required.</p>

Daraban Holdings Limited

File: OZ 10/008 W4

Agency / Comment Date	Comment
	<p>Prior to the passage of an amending by-law, the Community Services Department will require payment for street tree contributions.</p> <p>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.</p>
City Transportation and Works Department (November 15, 2011)	<p>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.</p> <p>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.</p> <p>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.</p>

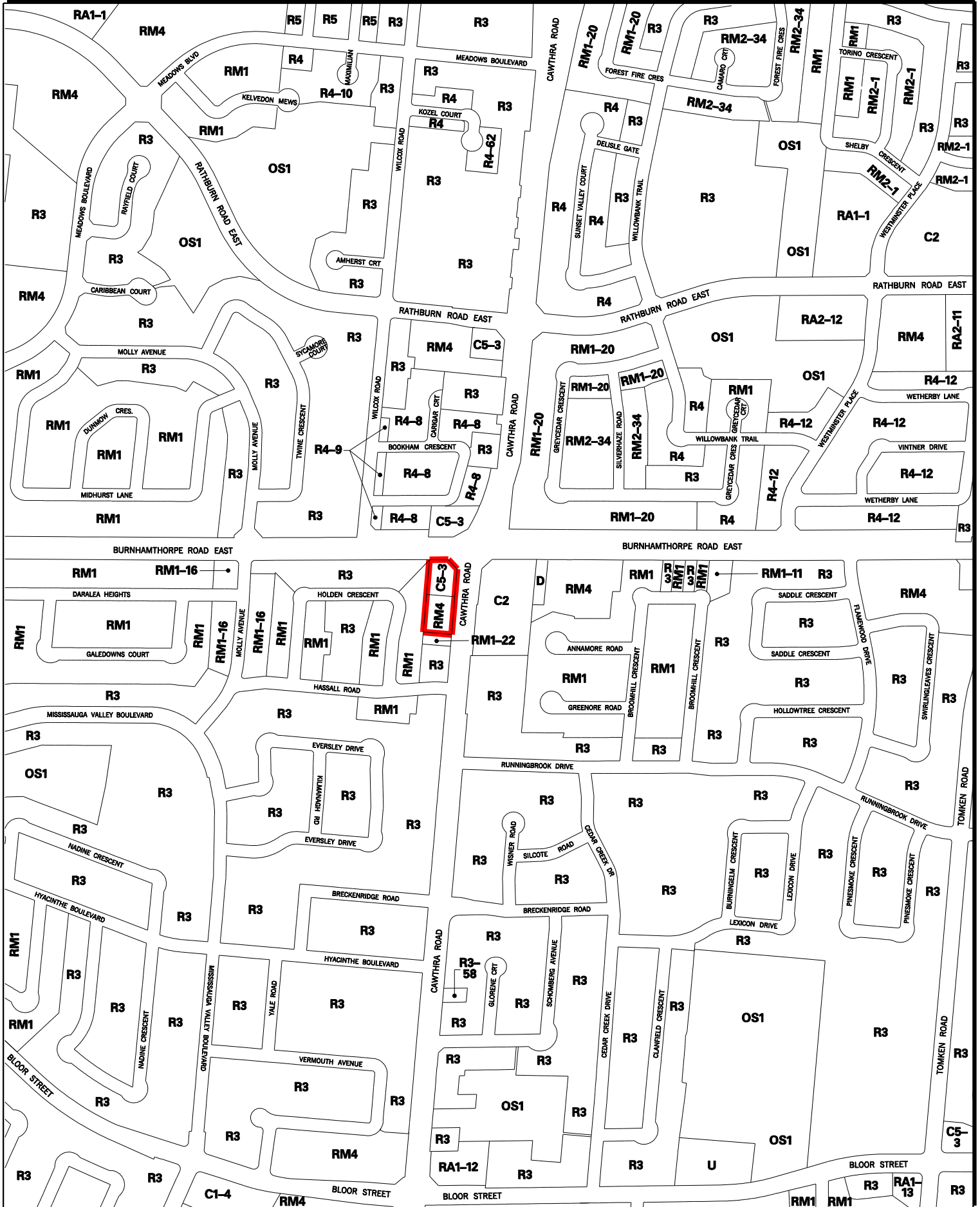
**Daraban Holdings Limited****File: OZ 10/008 W4**

Agency / Comment Date	Comment
Other City Departments and External Agencies	<p>The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner:</p> <p>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</p>
	<p>The following external agency was circulated the applications but provided no comments:</p> <p>Trans-Northern Pipelines Inc.</p>

# GENERAL CONTEXT MAP

OZ 10008 W4

APPENDIX I-8



**Daraban Holdings Limited**

**File: OZ 10/008 W4**

**Recommendation PDC-0003-2012**

1. 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 7th 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.
2. That the following correspondence be received:
  - a) Letter distributed on January 9, 2012 from Murray Schelter, resident with respect to the proposed development at 3640 -3658 and 3670 Cawthra Road for a 169 unit, 6 storey retirement dwelling with a 7<sup>th</sup> storey mechanical room and amenity area.
  - b) Email dated January 7, 2012 from Lori Casella, resident with respect to the proposed development at 3640 -3658 and 3670 Cawthra Road for a 169 unit, 6 storey retirement dwelling with a 7<sup>th</sup> storey mechanical room and amenity area.