

Originator's

Files OZ 10/015 W8

PDC SEP 04 2012

DATE: August 14, 2012

TO: Chair and Members of Planning and Development Committee

Meeting Date: September 4, 2012

FROM: Edward R. Sajecki

Commissioner of Planning and Building

SUBJECT: Official Plan Amendment and Rezoning Applications

To permit a five storey, 154 unit condominium apartment

building

3170 Erin Mills Parkway

South of South Millway, between Erin Mills Parkway and

Fifth Line West

Owner: Vandyk – Windows on the Green Limited

Applicant: Weston Consulting Group Inc.

Bill 51

Supplementary Report Ward 8

RECOMMENDATION:

That the Report dated August 14, 2012, from the Commissioner of Planning and Building recommending approval of the applications under file OZ 10/015 W8, Vandyk – Windows on the Green Limited, 3170 Erin Mills Parkway, south of South Millway, between Erin Mills Parkway and Fifth Line West, be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, changes to the applications have been proposed, Council considers that the changes do not require further notice and, therefore, pursuant to the provisions of subsection 34(17) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, any

further notice regarding the proposed amendment is hereby waived.

- That the application to amend Mississauga Plan from
 "General Retail Commercial" to "Residential High Density I
 Special Site" in conformity with the provisions outlined in
 Appendix S-3, be approved.
- 3. That the application to change the Zoning from "C2" (Neighbourhood Commercial) to "RA1-Exception" (Apartment Dwellings) to permit a five storey, 154 unit condominium apartment building be approved subject to the following conditions:
 - (a) That the permitted uses and development standards shall conform to those outlined in Appendix S-4;
 - (b) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development;
 - (c) Prior to the passing of an implementing zoning by-law for residential development, the City of Mississauga shall be advised by the Peel District School Board that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the Peel District School Board for the subject development;
 - (d) That the school accommodation condition as outlined in City of Mississauga Council Resolution 152-98 requiring that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the Dufferin-Peel Separate School Board not apply to the subject lands.
- 4. In the event that Mississauga Official Plan (2011) comes into force and effect as it pertains to the subject lands, that

Mississauga Official Plan (2011) be amended for these lands from "Mixed Use" to "Residential High Density - Special Site" consistent with the provisions outlined in Appendix S-3.

5. 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.

REPORT HIGHLIGHTS:

- There have been minor revisions to the proposal since the Information Report;
- Community comments are addressed;
- The proposal meets the intent of the City's official plan policies and addresses comments received from various City Departments and external agencies;
- The applications are acceptable from a planning standpoint and should be approved, subject to certain conditions.

BACKGROUND:

A public meeting was held by the Planning and Development Committee on September 6, 2011, 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-0041-2011 which was subsequently adopted by Council and is attached as Appendix S-2.

Since the Information Report, the applicant has made some minor revisions to the development proposal mainly in response to comments from City staff (see Appendices S-5 and S-6). These changes include shifting the waste/recycling storage area so that it is less visible from the site entrance, alterations to walkways and landscape areas and the refinement of building elevations. These details are being further refined through the Site Plan approval process under file SP 12/048 W8.

COMMENTS:

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

COMMUNITY ISSUES

Several issues were raised by area residents at the February 23, 2011 community meeting, the September 6, 2011 public meeting and through written comments sent to the City. These issues are listed below along with responses:

Comment

The proposed building is obtrusive and does not fit into the low rise character of the existing neighbourhood.

Response

The proposed built form is appropriate for the site and is sensitive to the existing context. Issues of building height, massing and transition are discussed in greater detail within the Planning Comments section of this report.

Comment

The additional vehicle traffic impact on the neighbourhood from this development will be significant and will worsen parking on adjacent streets and within nearby private condominium developments.

Response

The City's Transportation and Works Department has indicated receipt of a satisfactory Traffic Impact Study dated November 2010, by Read, Voorhees & Associates. The study identifies that the existing road network and infrastructure can accommodate the proposed vehicular trips generated by the proposed residential development.

Regarding vehicular parking, the applicant is not proposing to reduce the City's Zoning By-law standards for resident and visitor parking, which will be accommodated on-site.

Comment

Commercial truck traffic and the loading docks associated with Millway Plaza are too close to this residential proposal.

Response

The Environmental Noise Assessment confirms that the proposed residential use is not too close to the commercial operation from a noise perspective (see Transportation and Works Department comments). Other aspects of land use compatibility are addressed in the Planning Comments section of this report.

Millway Plaza truck movements will continue to occur on the plaza lands and on the shared private driveway. The exact alignment of the proposed driveway curbing will be finalized through the Site Plan review process and will have regard for truck turning movements. Additionally, the landscape feature wall has been moved a further 3.0 m (9.8 ft.) away from the Millway Plaza loading area in the Revised Site Plan (see Appendix S-5). This added space will provide trucks with increased maneuverability.

Comment

Other uses such as offices, retail commercial or townhouses should be considered for this site by the developer.

Response

Staff have concluded that the proposed land use and built form represent appropriate development of the subject lands.

Alternative land uses were not part of the proponent's official plan and zoning by-law amendment applications.

Comment

Through the Zoning By-law, the City should ensure that the building cannot be constructed above what is currently proposed by the applicant.

Response

Staff have recommended that the Zoning By-law limit the heights of the building consistent with the development proposal (see the Zoning section).

Comment

Construction noise will create unacceptable impacts on adjacent homeowners.

Response

The developer will be responsible to adhere to the City's Noise Control By-law, which includes the regulation of construction noise. The City's Enforcement Division would investigate complaints related to construction noise.

Comment

The public walkway to the south of the property will be obstructed by the proposal.

Response

As shown in the Revised Site Plan on Appendix S-5, the proposed development will not obstruct the municipal walkway (Glen Erin Trail) to the south.

Comment

The developer has erected large marketing signs on the property. Why did the City allow this when there has not been a decision on their proposal?

Response

The City cannot prevent a developer from marketing and preselling condominium units in advance of planning approvals. Notwithstanding, correspondence was sent from the Planning and Building Department to the proponent on February 27, 2012 requesting that all sales-related signs be removed from the subject lands. Additionally, the City's Sign Unit has inspected the marketing signs and found that the landowner is not in compliance with provisions of the City's Sign By-law. An Order to Comply to remove the signs was issued to the landowner on February 29, 2012. Subsequently, a sign variance application has been submitted by the landowner and is currently under review by City staff.

UPDATED AGENCY AND CITY DEPARTMENT COMMENTS

Region of Peel

Comments updated May 17, 2012 state that the Region has no objection to these applications proceeding, as the outstanding issues have been resolved by the proponent. Additional technical details will be addressed through the Site Plan approval process.

City Transportation and Works Department

Comments updated July 6, 2012 note that a satisfactory Environmental Noise Assessment and subsequent addendums have been provided confirming the suitability of the proposed development from an acoustical perspective subject to the implementation of the appropriate noise mitigation measures including mitigation measures on the neighbouring commercial plaza to the north. The developer has made satisfactory arrangements with the adjacent landowner for the future implementation of stationary noise mitigation measures (i.e. replacement/installation of new rooftop mechanical equipment).

An updated Functional Servicing Report and associated site servicing plan were received which confirm that the proposed development will have adequate storm, sanitary and water service.

Should these applications be approved by Council, the developer will be required to enter into Development and Acknowledgement Agreements with the City as a requirement of the Zoning By-law enactment.

PLANNING COMMENTS

Conversion of Employment Lands

The Provincial Policy Statement (PPS), the Growth Plan for the Greater Golden Horseshoe (Growth Plan) and the *Planning Act* encourage the retention of employment lands and require a comprehensive municipal review where employment lands are proposed to be converted to non-employment uses. As these provincial documents define employment areas as those designated primarily for manufacturing, warehousing and office uses, these policies do not apply to the subject lands.

Mississauga Plan (2003)

The proposal requires an amendment to the Mississauga Plan Policies for the Erin Mills District. As outlined in the Information Report, Section 5.3.2.1 of Mississauga Plan provides criteria for evaluating site specific Official Plan Amendments. Each criterion is summarized below along with a discussion of how the proposal addresses the intent of the criteria.

Will the proposal adversely impact or destabilize the overall intent, goals and objectives of the Official Plan; and the development or functioning of the remaining lands which have the same designation, or neighbouring lands?

The proposal is consistent with the overall intent, goals and objectives of Mississauga Plan, which were reviewed in conjunction with the development applications. These include the promotion of compact growth, the provision of a range of housing choices (type, tenure and price), the development of compatible residential intensification, and the creation of an urban form that is high quality and transit-supportive. The replacement of a derelict

commercial use with a sensitively designed, low-rise condominium apartment fronting onto one of the City's and Region's key arterial roads supports these goals and objectives.

The proposal will not adversely impact or destabilize the development or functioning of neighbouring lands. The subject property has been vacant since the former restaurant building was demolished in 1995. Millway Plaza to the north has functioned independent of a commercial use on the subject lands during the intervening years and the proposed addition of 154 adjacent residential units will increase the potential patronage of the plaza. Loading/service functions of the plaza will be unchanged.

Are the lands suitable for the proposed uses, and are the proposed land uses compatible with existing and future uses of the surrounding lands?

The proposed residential land use is compatible with the surrounding community, which is predominantly residential. Multiple unit housing in the form of townhouses already surround the site on the west, south and east.

The proposal meets the intent of the residential intensification policies for lands outside of the Urban Growth Centre with respect to height, transition and compatibility. While technically a five storey building, it should be noted that the fifth floor elements are all forth floor suite mezzanine lofts. These lofts represent only 18% of the fourth floor roof area and provide added architectural interest through enhanced articulation of the façade.

This low rise apartment building establishes an appropriate interface between the two storey townhouse community to the south and Millway Plaza. From a height, massing, aesthetic and land use perspective, the proposal fits in well with the existing neighbourhood. The adjacent roads, storm sewer easement along the south property limit and the greenbelt trail all provide additional transitional distance between the proposed development and the surrounding townhouses. The landscape feature wall will provide a visual buffer with acoustic mitigation benefits between

the closest apartment units and the Millway Plaza loading area. Additionally, the applicant's Shadow Study indicates compliance with the City's shadow casting criteria for outdoor amenity areas in the adjacent townhouse developments.

Given the existing low rise context and relevant Mississauga Plan policies, staff recommend that the Official Plan Amendment specify a height limit of 5 storeys, consistent with the proposal (see Appendix S-3).

Is there adequate infrastructure and community services to support the proposed development?

Updated comments from the Region of Peel and the City's Transportation and Works Department and Community Services Department confirm that adequate infrastructure is available to support the proposal.

Has a planning rationale with reference to Mississauga Plan policies, other relevant policies, good planning principles and the merits of the proposed amendment in comparison with the existing designation been provided by the applicant?

Staff have reviewed the applicant's Planning Justification Report and an addendum that was requested to examine additional planning policies in Mississauga Plan. The report was found to be satisfactory.

Is there a requirement for a comprehensive review of land use designations?

The required five year review of Mississauga Plan is complete and resulted in Mississauga Official Plan, which is currently under appeal to the Ontario Municipal Board, and is discussed in the following section. Consequently, a further comprehensive review is not required.

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 has been appealed in its entirety to the Ontario Municipal Board and, as such, the existing Mississauga Plan (2003) remains in effect. Notwithstanding, regard shall be had for the policies of Mississauga Official Plan.

Under Mississauga Official Plan, the subject lands are designated "Mixed Use", which permits a similar range of uses as those of the "General Retail Commercial" designation, which is no longer found in Mississauga Official Plan. Consequently, an amendment to Mississauga Official Plan policies would be required to permit the proposed freestanding apartment building. Relevant policies considered include:

- Sections 5.3.5 and 16 gives direction on intensification within Neighbourhoods, and includes policies on compatibility, building height and transition;
- Section 5.4 includes several policies related to the nature of intensification along Corridors such as Erin Mills Parkway;
- Section 9 includes many design policies related to Non-Intensification Areas, the Public Realm, and Site Development and Buildings.

The proposal is consistent with the overall intent, goals, objectives and policies of Mississauga Official Plan. The applicant has requested to convert their application to one under Mississauga Official Plan once it comes into force and effect. In the event that Mississauga Official Plan comes into force and effect as it pertains to the subject lands, it is recommended that Mississauga Official Plan be amended from "Mixed Use" to "Residential High Density -Special Site" for this property consistent with the provisions outlined in Appendix S-3.

Zoning

The proposed "RA1-Exception" (Apartment Dwellings) zone is appropriate to accommodate the requested residential uses. Appendix S-4 contains staff's recommended site specific zoning provisions, based on the proposed development. An exception schedule will require the majority of the building to be four storeys but will allow for the fifth storey loft elements, consistent with the applicant's proposal.

Green Development Initiatives

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

- low consumption plumbing fixtures;
- energy efficient lighting;
- low-e thermal glazing;
- reflective roofing;
- materials with low-VOC and recyclable content;
- internal bicycle storage;
- the incorporation of a "living wall" (landscape feature wall).

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:

In accordance with subsection 34(17) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, Council is given authority to determine if further public notice is required. Since the proposed changes by the applicant and staff are minor, it is recommended that no further public meeting need be held regarding the proposed changes.

The proposed Official Plan Amendment and Rezoning are acceptable from a planning standpoint and should be approved for the following reasons:

- 1. The proposal is compatible with the surrounding land uses based on the similar residential land uses adjacent to the site and the complementary nature of the design, which achieves appropriate built form relationships with its context.
- 2. The proposed Official Plan provisions and zoning standards are appropriate to accommodate the requested uses based on the proposed height, massing, landscaping and general site design.

ATTACHMENTS: Appendix S-1: Information Report

Appendix S-2: Recommendation PDC-0041-2011

Appendix S-3: Recommended Official Plan Amendment

Provisions

Appendix S-4: Recommended Zoning Provisions

Appendix S-5: Revised Site Plan

Appendix S-6: Revised Building Elevations

Edward R. Sajecki Commissioner of Planning and Building

Prepared By: Ben Phillips, Development Planner

Clerk's Files



Originator's

Files OZ 10/015 W8

PDC SEPT 6 2011

DATE: August 16, 2011

TO: Chair and Members of Planning and Development Committee

Meeting Date: September 6, 2011

FROM: Edward R. Sajecki

Commissioner of Planning and Building

SUBJECT: Information Report

Official Plan Amendment and Rezoning Applications

To permit a five storey, 154 unit condominium

apartment building

3170 Erin Mills Parkway

South of South Millway, between Erin Mills Parkway and Fifth

Line West

Owner: Vandyk - Windows on the Green Limited

Applicant: Korsiak and Company Limited

Bill 51

Public Meeting Ward 8

RECOMMENDATION: That the Report dated August 16, 2011, from the Commissioner of

Planning and Building regarding the applications to amend the Official Plan from "General Retail Commercial" to "Residential -

High Density I" and to change the Zoning from "C2"

(Neighbourhood Commercial) to "RA1-Exception" (Apartment

Dwellings), to permit a five storey, 154 unit condominium

apartment building under file OZ 10/015 W8, Vandyk - Windows on the Green Limited, 3170 Erin Mills Parkway, south of South Millway, between Erin Mills Parkway and Fifth Line West, be

received for information.

BACKGROUND:

The above-noted applications have been circulated for technical comments and a community meeting has been held.

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 Pr	Development Proposal		
Applications	December 17, 2010 (Received)		
submitted:	January 28, 2011 (Deemed complete)		
Proposed Gross Floor Area:	15 904 m ² (171,195 sq. ft.)		
Height:	5 storeys, with a maximum height of		
	17.0 m (55.8 ft.)		
	Note: the 5 th storey comprises a		
	loft/mezzanine level for some of the 4 th		
	floor units		
Lot Coverage:	36%		
Floor Space	1.45		
Index:			
Landscaped	54%		
Area:			
Net Density:	140.2 units/ha		
	56.7 units/acre		
Number of	154 units		
units:			
Anticipated	377*		
Population:	*Average household sizes for all units		
	(by type) for the year 2011 (city average)		
	based on the 2008 Growth Forecasts for		
	the City of Mississauga.		
Parking	1.25 spaces per 1-bedroom unit = 77 x		
Required:	1.25 = 96 spaces		
	1.40 spaces per 2-bedroom unit = 77 x		
	1.40 = 108 spaces		
	0.20 visitor spaces per unit = 154×0.20		
	= 31 spaces		
	Total: 235 spaces		

Development Proposal			
Parking	237 spaces (all underground, except for 2		
Provided:	surface spaces)		
Supporting	- Planning Justification Report		
Documents:	- Functional Servicing Report		
	- Phase I Environmental Site Assessment		
	- Phase I Environmental Site Assessment		
	Update		
	- Phase II Environmental Site		
	Assessment		
	- Record of Site Condition		
	- Environmental Noise Assessment		
	- Easement Agreement		
	- Traffic Impact Study		
	- Parcel Registry Information		
	- Tree Inventory/Preservation Plan		
	- Shadow Study		

Site Characteristics		
Frontage:	117.92 m (386.9 ft.) - Erin Mills	
	Parkway	
	39.36 m (129.1 ft.) - Fifth Line West	
Depth:	Irregular - approx. 150 m (492 ft.)	
Gross Lot Area:	1.10 ha (2.71 ac.)	
Existing Use:	vacant	

Additional information is provided in Appendices I-1 to I-10.

Neighbourhood Context

The subject property is located within the mature Erin Mills neighbourhood, and is surrounded by a mix of residential, retail commercial, and open space uses. The property had previously been occupied by a free standing restaurant and night club that was demolished several years ago. Portions of the original parking lot still remain. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

North: Millway Plaza; Erin Mills Baptist Church across South

Millway and a mix of detached, semi-detached and

townhouse dwellings further north

East: Across Erin Mills Parkway, townhouse dwellings and a

gas station; Windy Hollow Park and detached dwellings

further east

South: Townhouse dwellings directly to the south; Peel Regional

Police station further south and Erindale Secondary

School on the east side of Erin Mills Parkway

West: Across Fifth Line West, Brookmede Park, townhouse

dwellings and Brookmede Public School

Current Mississauga Plan Designation and Policies for Erin Mills District (May 5, 2003)

"General Retail Commercial" refers to retail commercial development located primarily on major roads. Residential uses are permitted only when combined with retail commercial uses. The applications are not in conformity with the land use designation, as retail commercial uses are not proposed as part of the development.

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

Intensification (Section 3.13)

Residential intensification outside of identified intensification areas is to generally occur through the development of vacant or underutilized lands in accordance with the intent of Mississauga Plan. These policies outline the characteristics of compatible residential intensification, which should have regard for elements such as the natural environment, lot frontages and areas, street and block patterns, building height and transition, scale, massing, streetscapes, heritage features and setbacks. Heights in excess of four storeys will only be considered where it can be demonstrated that an appropriate transition in heights that respects the surrounding context will be achieved.

Urban Design Policies (Section 3.18)

The urban design policies of Mississauga Plan require that building, landscaping and site design are compatible with site conditions and will create appropriate visual and functional relationships between individual buildings, groups of buildings and open spaces. These elements are also intended to minimize the effects of noise, unattractive views, and other negative impacts and to buffer adjacent land uses.

Criteria for Site Specific Official Plan Amendments (Section 5.3.2)

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;
- 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.

New Mississauga Official Plan

Mississauga Official Plan was adopted by City Council on September 29, 2010. Until the new Mississauga Official Plan is approved by the Region of Peel and comes into force, Mississauga Plan continues to be in effect. While the existing Official Plan is the plan of record against which the applications are being reviewed, regard should also be given to the new Mississauga Official Plan. Under the new Mississauga Official Plan, the subject lands are designated "Mixed Use". The current proposal

does not conform to the "Mixed Use" designation and associated policies contained in the new Mississauga Official Plan.

The timing of the approval of the proposed site specific official plan amendment may be affected by the approval of the new Mississauga Official Plan and any potential appeals. A recommendation will be included in the Supplementary Report to address the status of the new Mississauga Official Plan.

Proposed Official Plan Designation and Policies

"Residential - High Density I", which permits apartment dwellings at a Floor Space Index of 0.8 - 1.4.

Existing Zoning

"C2" (Neighbourhood Commercial), which permits a range of retail, service, office and entertainment/recreation uses as follows: retail store, restaurant, convenience restaurant, take-out restaurant, veterinary clinic, animal care establishment, funeral establishment, personal service establishment, commercial school, financial institution, repair establishment, beverage/food preparation establishment, medical office, office, recreational establishment, entertainment establishment, private club and university/college.

Proposed Zoning By-law Amendment

"RA1-Exception" (Apartment Dwellings), to permit apartment dwellings in accordance with the proposed zoning standards contained in Appendix I-9.

COMMUNITY ISSUES

A community meeting was held by Ward 8 Councillor Katie Mahoney on February 23, 2011. Several emails have also been submitted by area residents.

Comments from the community are summarized below and will be addressed in the Supplementary Report:

- The proposed building is obtrusive, as it does not fit into the low rise character of the neighbourhood;
- Through the zoning by-law, the City should ensure that the building cannot be constructed above what is currently proposed by the applicant;
- Commercial truck traffic and the loading docks associated with Millway Plaza are too close to this residential proposal;
- The impact of additional traffic on the neighbourhood will be significant and is unacceptable. The proposal will also increase vehicle parking on adjacent streets and worsen unauthorized access into the nearby condominium townhouse developments;
- Other uses such as offices, retail commercial or townhouses should be considered for this site by the landowner;
- Construction noise from building this apartment would create unacceptable impacts on adjacent homeowners;
- The public walkway to the south of the property will be obstructed by the proposal.

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-7 and school accommodation information is contained in Appendix I-8. Based on the comments received and the applicable Mississauga Plan policies, the following matters will have to be addressed:

• the identification of any sustainable green technology to be used in the proposed development;

- questions involving the Noise Study and an addendum that
 was provided to the City. Additional details are required
 regarding the noise mitigation measures proposed to protect
 the outdoor living area adjacent to the Giant Tiger retail store
 loading area;
- site and building layout issues, including the location and screening of garbage pick-up, the lobby/main entrance configuration, building architecture and massing, proposals for the outdoor amenity area, design of the noise wall, landscaping and fencing;
- the requirement for a revised Functional Servicing Report.

OTHER INFORMATION

Development Requirements

In conjunction with the proposed development, there are certain other engineering matters with respect to storm drainage, noise attenuation, boulevard improvements/reinstatement, streetscape and utility requirements which will require the applicant to enter into appropriate agreements with the City. The applicant will also be required to obtain site plan approval for the proposed development.

FINANCIAL IMPACT:

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

CONCLUSION:

All agency and City department comments have been received and after the public meeting has been held and all issues 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 Erin Mills 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 CommentsAppendix I-8: School AccommodationAppendix I-9: Proposed Zoning Standards

Appendix I-10: General Context Map

Edward R. Sajecki

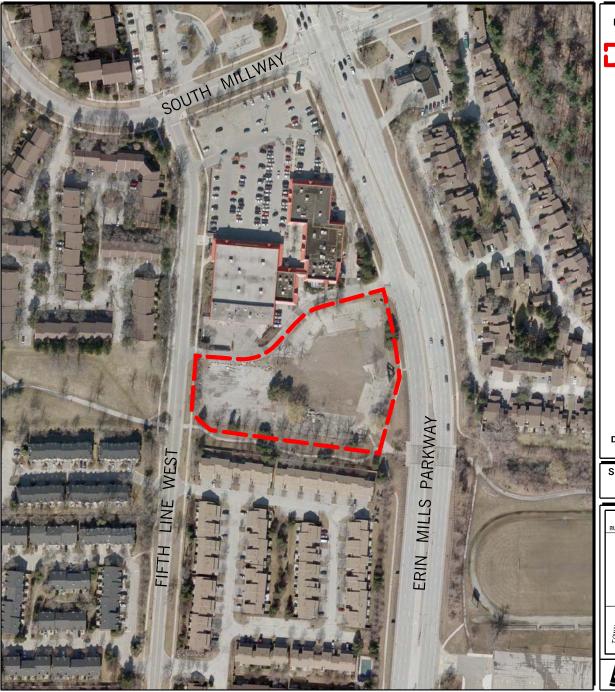
Commissioner of Planning and Building

Prepared By: Ben Phillips, Development Planner

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Site History

- January 10, 1984 A site plan application under File SP 84/002 W8 to permit a restaurant was submitted to the Planning and Building Department. The application was approved on June 27, 1984.
- February 2, 1984 A minor variance application under File 'A' 17/84 was approved by the Committee of Adjustment to permit the conversion of the existing building to a restaurant use with a reduced number of parking spaces.
- February 21, 1985 A minor variance application under File 'A' 81/85 was approved by the Committee of Adjustment to permit the use of the abutting City owned lands, which were the subject of a land exchange between the owner and the City, for additional parking for the restaurant.
- March 27, 1998 A site plan application under File SP 98/114 W8 was submitted to the Planning and Building Department to permit two free-standing restaurants but was subsequently cancelled on December 3, 1998.
- February 17, 2003 Official plan amendment and rezoning applications under File OZ 03/008 W8 to permit 53 townhouse units were submitted to the Planning and Building Department. The corresponding site plan application, SP 03/123 W8, was submitted on March 24, 2003. All applications were cancelled on January 15, 2005.
- December 22, 2006 Official plan amendment and rezoning applications under File OZ 06/028 W8 for a 277 unit condominium apartment building were submitted to the Planning and Building Department. A site plan application for a temporary sales centre under File SP 06/276 W8 was also submitted at this time. The corresponding site plan application for the apartment building under File SP 07/008 W8 was submitted on January 12, 2007. These applications were cancelled on August 6, 2009.
- 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).



LEGEND:

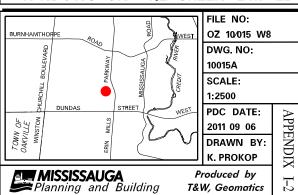


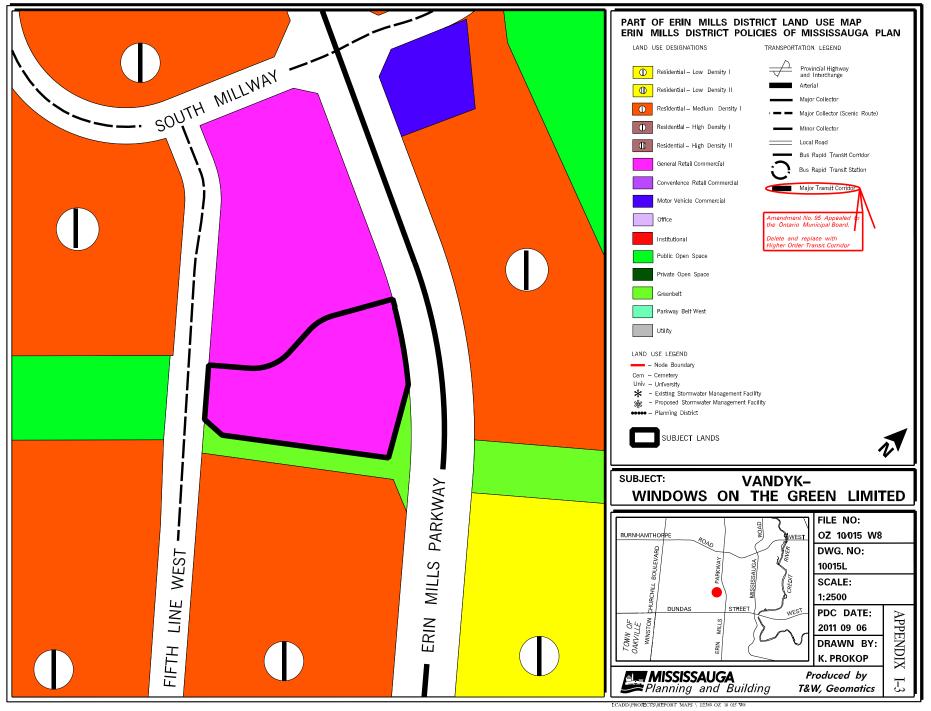
SUBJECT LANDS

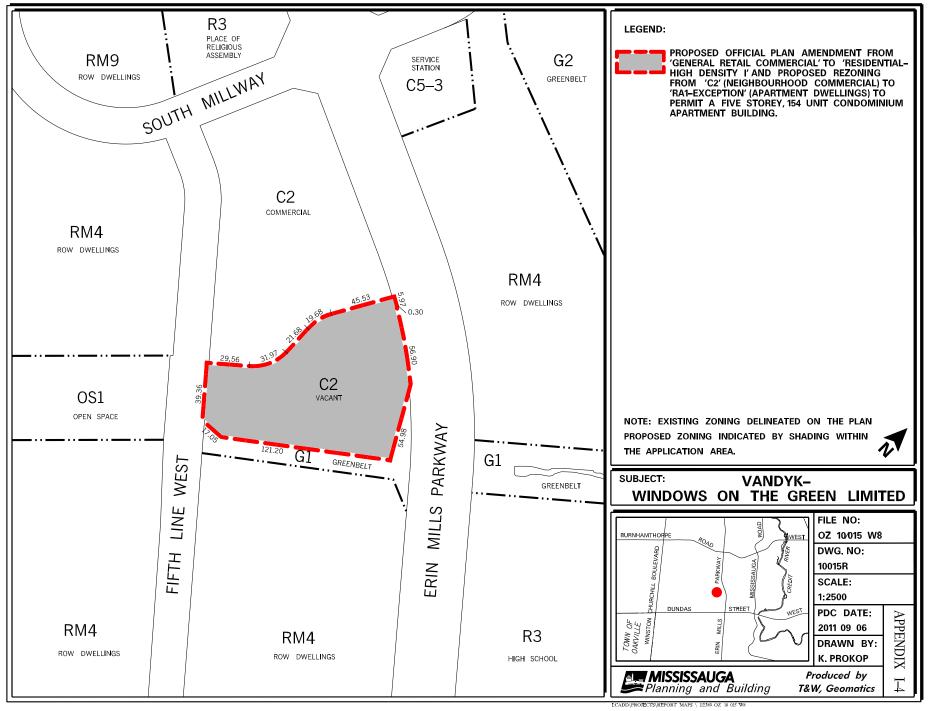
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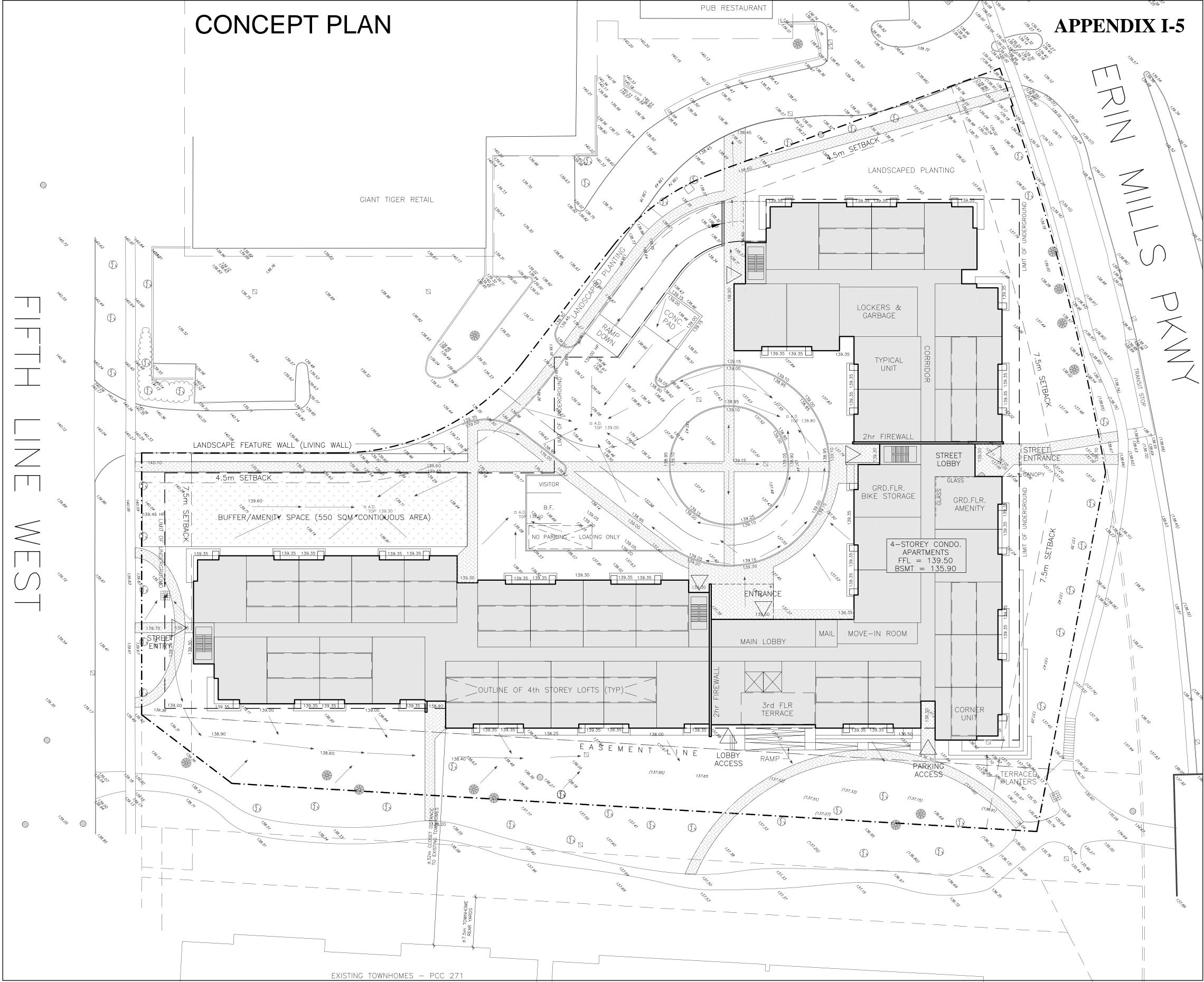


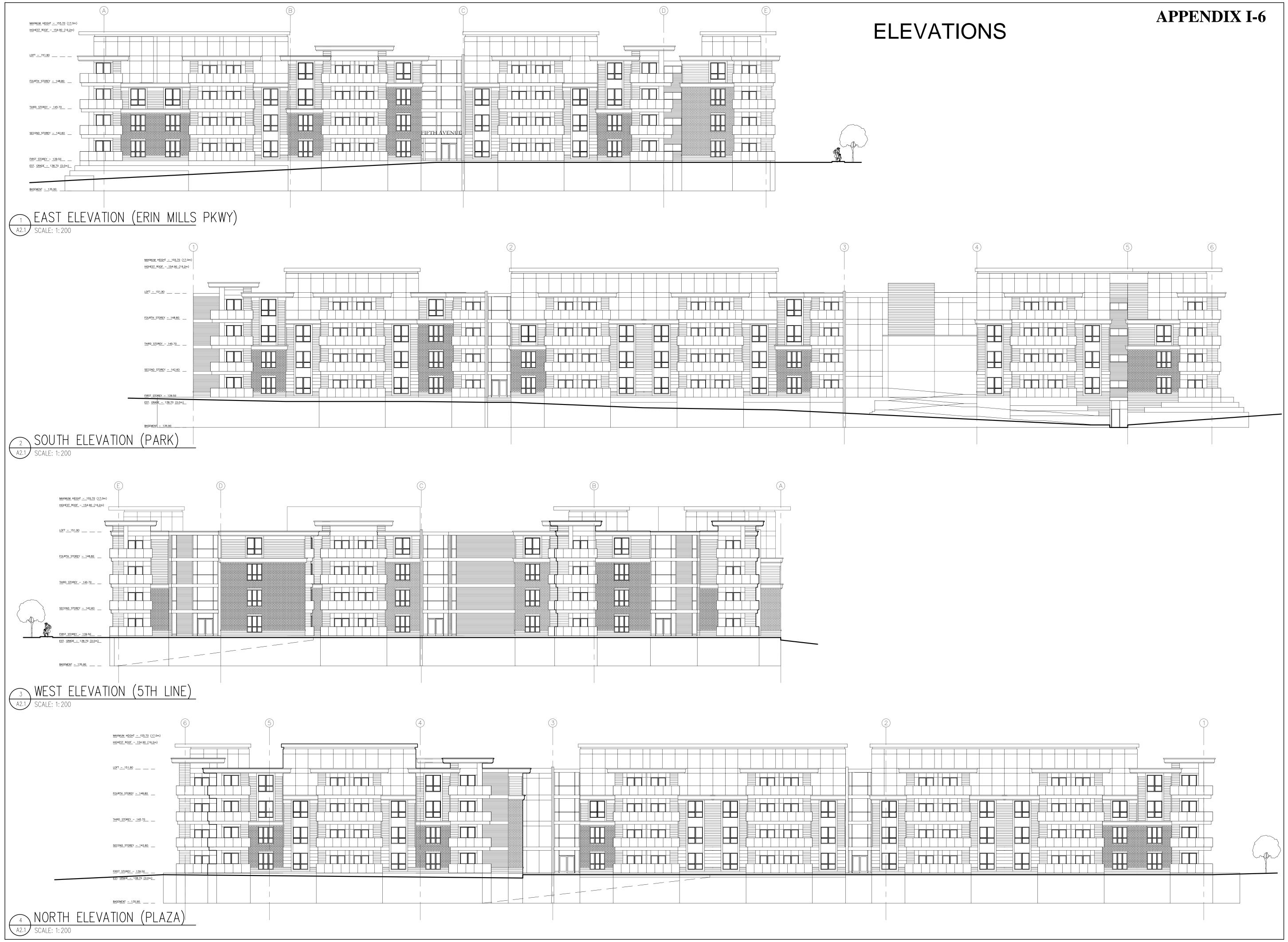
SUBJECT: VANDYKWINDOWS ON THE GREEN LIMITED











Agency Comments

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

Agency / Comment Date	Comment	
Region of Peel (March 29, 2011)	The Environmental Noise Assessment dated December 15, 2010, prepared by Valcoustics Canada Ltd. has been reviewed Regional staff has confirmed with Valcoustics Canada Ltd. staff that the most updated Annual Average Daily Traffic (ADDT) figure of 44,000 has been incorporated into traffic forecast numbers. Regional staff note that dBA levels resulting from road traffic sources exceed the accepted Ministry of the Environment (MOE) and Region of Peel sou exposures for East and South Face facades. However, the Region accepts the conclusion that it is feasible to control the predicted sound levels within the proposed development by implementing noise attenuation measures and by using the appropriate warning clauses registered on title. Clarification required regarding the potential conflict of the noise barrier wall with any existing, proposed or relocated underground services. The applicant is advised that the proposed noise barrier wall will not be permitted on top of a Regional easement.	
Erin 1 05 (60 thes exis Fiftl The 2010	An existing 300 mm (12 in.) diameter water main is located on Erin Mills Parkway and Fifth Line West. There is also a 1 050 mm (40 in.) diameter water main and a 1 500 mm (60 in.) diameter water main on Erin Mills Parkway; however, these mains are not available for connection. There is an existing 250 mm (10 in.) diameter sanitary sewer located on Fifth Line West. The Functional Service Report (FSR) dated December 13, 2010, prepared by Skira & Associates Ltd. has been reviewed and is unacceptable. The proposal is being reviewed for	

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	sanitary sewer and water capacity and an updated FSR is required.
	Once an acceptable report is received, it will be circulated for review.
	The applicant is required to provide calculations for Fire Flow requirements and Hydrant Flow tests, a completed Region of Peel Sanitary Sewer Design Sheet, an external Sanitary Sewer Drainage Plan and sanitary sewer flow calculations.
	The Storm Water Management Report dated December 13, 2010, prepared by Skira & Associates has been received and will be reviewed at the site servicing stage. Additional storm drainage shall not be conveyed to Erin Mills Parkway. Post development flows must be equal to or less than pre development flows and no grading will be permitted within any Region of Peel right-of-way to support adjacent development, as per Region of Peel Storm Sewer Design Criteria.
	At the site plan stage, the applicant is required to provide the following legal documents: the parcel abstracts, all copies of registered easements affecting the subject land, associated reference plans including 43R-4553 and 43R-462 and the documentations for INST No. 631376 which refers to Part 6 on 43R-462.
	There is an existing sanitary easement running through the subject lands. Regional easements must be protected from any encroachments or obstructions. The owner shall maintain the land for the easements free and clear of any trees, building structures, or hard concrete pavement surfaces. The owner is permitted to utilize the land for no other purpose than lawns, gardens, flower beds, roadways, driveways, and parking areas

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	and shall not deposit or remove any fill from the easement. For applications where Regional easements are present, landscaping drawings will be required for review.
	In order to utilize any sanitary sewer or water services that are located on an adjacent property will require the creation and registration of private servicing easements prior to site plan approval.
	The subject site is not within the vicinity of a known landfill site.
	A 6 m wide by 6 m long (19.7 ft. x 19.7 ft.), level (+/- 2%) concrete pad is required in the Garbage Pickup area which is to be shown on a revised Site Plan.
	To facilitate adherence to the Region's Waste Collection By-law, the developer will be required to ensure that the recycling collection program is as convenient to each resident in the development as the garbage collection program.
	Recycling is mandatory within all residential buildings and waste collection services may be revoked by failing to comply. The following methods may be used: a) a single garbage chute with an automated mechanical separation system to divert garbage and recyclable materials into separate bins; b) two separate chutes for garbage and recyclable materials.
	At the Site Plan stage, the system to be used in the building is to be identified on the Ground Floor Plan (or floor plan where the waste storage room is to be located). The required number of front-end bins for garbage and recyclable materials are also to be shown on this drawing. The 154 unit building will require 3, 3 cubic yard compacted front-end garbage bins and 4, 3 cubic yard non-compacted front-end recycling bins.

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Traffic Engineering section has reviewed the above noted ffic Impact Study and has found it to be satisfactory. Region has received supporting documents confirming procal access easements with the property to the north. uld the location of the access change in subsequent
ditional property will not be required at this time. dscaping, signs, fences, gateway features or any other roachments will not be permitted within the Region's ements and or right-of-way limits unless appropriate dscaping drawings have been submitted to the Region for ew and approval. Upon consideration, if approved, an roachment agreement and Regional Council approval will equired. In addition, all cost and fees associated therewith all be the responsibility of the owner; and a sidewalk clause also be included in the Development Agreement. School Board has indicated that it is satisfied with the rent provision of educational facilities for the catchment and, as such, the school accommodation condition as mired by City of Mississauga Council Resolution 152-98
Il be the responsibility of the owner; and a sidewalk clause also be included in the Development Agreement. School Board has indicated that it is satisfied with the rent provision of educational facilities for the catchment and, as such, the school accommodation condition as mired by City of Mississauga Council Resolution 152-98 aining to satisfactory arrangements regarding the adequate vision and distribution of educational facilities need not be
ddition, if approved, the School Board requires that the licant shall agree in the Servicing and/or Development eement to include warning clauses with respect to porary school accommodation and transportation ngements in all offers of purchase and sale of residential s until the permanent school for the area has been
t

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The Peel District School Board (July 19, 2011)	The School Board has indicated that Brookmede Public School and Erin Mills Senior Public School are currently part of an accommodation review. As such City of Mississauga Council Resolution 152-98, adopted by Council on May 27, 1998, pertaining to the adequate provision of educational facilities will apply.
	The Board requires that a clause with respect to temporary school accommodation and transportation arrangements be placed in any agreement of purchase and sale entered into with respect to any units within a period of five years from the date of registration of the agreement.
City Community Services Department – Planning, Development and Business Services Division/Park Planning Section (July 20, 2011)	City owned greenbelt lands identified as Glen Erin Trail (P-079) which includes a pathway is adjacent to the subject property. Also, Brookmede Park (P-078) is located approximately 20 m (65.6 ft.) west of the subject property which contains a play site, mini soccer field, two tennis courts and a toboggan hill.
	Should these applications be approved, fencing, protective hoarding, and associated securities for the adjacent greenbelt lands will be required. Arrangements will be made to secure for any clean-up and reinstatement works that may be required within the greenbelt lands.
	Prior to by-law enactment, a cash contribution for street planting will be required. Further, prior to the issuance of building permits, 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.

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Agency / Comment Date	Comment
City Community Services Department – Fire and Emergency Services Division (March 22, 2011) City Transportation and Works Department (August 3, 2011)	Fire has reviewed the OPA/rezoning applications from an emergency response perspective and has no concerns. Emergency response time to the site and water supply available are acceptable. In comments dated August 3, 2011 this department confirmed receipt of an Environmental Noise Assessment and subsequent addendum prepared by Valcoustics Canada Ltd. dated December 13, 2010 and May 31, 2011 respectively. Following review, the applicant has been requested to update the report to provide a table showing the mitigated noise levels from all rooftop mechanical sources for the commercial facilities on the north side of the proposed development; and the impact of the stationary noise on the closest residential receptors. Additional details have also been requested with respect to the type and location of the proposed noise/living wall proposed to protect the outdoor living area adjacent to the Giant Tiger store loading area. Prior to the Supplementary Meeting, satisfactory arrangements are to be made among the applicant, the City, the Giant Tiger store and owner of the premises occupied by the Giant Tiger store for the implementation of stationary noise mitigation measures (installation of rooftop screens for the mechanical equipment) for the store. The site servicing plan prepared by Skira & Associates Ltd. dated September 2010 proposes new storm and sanitary sewers to service the proposed development. The applicant is requested to provide additional design details to ensure that there is no conflict with the proposed services and the proposed underground parking structure or existing underground facilities.

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Agency / Comment Date	Comment		
	Updated comments will be provided for the Supplementary		
	Meeting pending the receipt and review of the applicant's		
	response to the above items.		
Other City Departments and	The following City Departments and external agencies offered		
External Agencies	no objection to these applications provided that all technical		
	matters are addressed in a satisfactory manner:		
	- Bell Canada		
	- Canada Post		
	- City Development Services		
	- Enbridge Gas Distribution		
	- Enersource Hydro Mississauga		
	The following City Departments and external agencies were		
	circulated the applications but provided no comments:		
	- City Economic Development Office		
	- City Realty Services		
	- Conseil Scolaire de District Catholique Centre-Sud		
	- Conseil Scolaire de District Catholique Centre-Sud-Ouest		
	- Credit Valley Hospital		
	- Rogers Cable		
	- The Trillium Health Centre		

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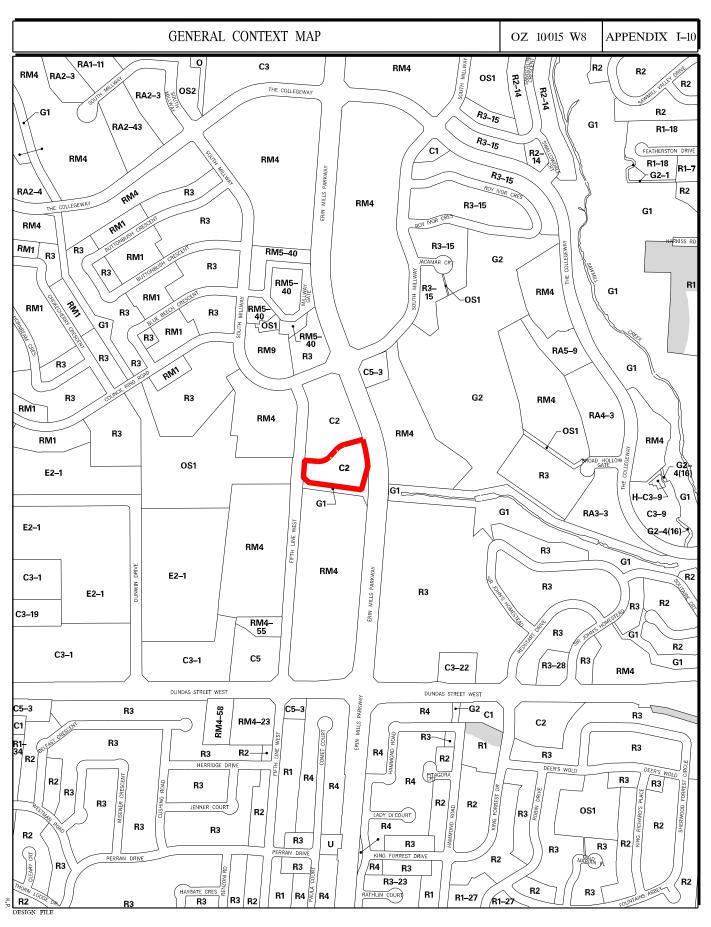
School Accommodation

The Peel District School Board	The Dufferin-Peel Catholic District School Board	
Student Yield:	Student Yield:	
14 Kindergarten to Grade 5 7 Grade 6 to Grade 8 15 Grade 9 to Grade 12/OAC	3 Junior Kindergarten to Grade 8 1 Grade 9 to Grade 12/OAC	
School Accommodation:	School Accommodation:	
Brookmede Public School	St. Margaret of Scotland	
Enrolment: 270 Capacity: 414 Portables: 0 Erin Mills Senior Public School Enrolment: 383 Capacity: 522 Portables: 0 Erindale Secondary School Enrolment: 1,295 Capacity: 1,353 Portables: 0	Enrolment: 427 Capacity: 667 Portables: 0 Loyola Catholic Secondary School Enrolment: 1,232 Capacity: 1,080 Portables: 6	

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Proposed Zoning Standards

	Required Zoning By-law	Proposed Standard
	Standard "RA1"	"RA1-Exception"
Maximum Number of Units	n/a	154
Maximum Floor Space Index	0.9	1.45
Maximum Gross Floor Area	n/a	19 000 m ² (204,521 sq. ft.)
Minimum Setbacks to Erin Mills	- 7.5 m (24.6 ft.) (for portion	Setbacks to conform to
Parkway and Fifth Line West	of the building under 13.0 m	buildable area footprint
	[42.6 ft.] in height);	schedule in by-law; minimum
	- 8.5 m (27.9 ft.) (for portion	of 7.5 m (24.6 ft.) to Erin
	of the building above 13.0 m	Mills Parkway and 5.5 m
	[42.6 ft.] in height)	(18 ft.) to Fifth Line West
		sight triangle
Minimum Interior Side Yard	- 4.5 m (14.8 ft.) (for portion	Setbacks to conform to
Setback	of the building under 13.0 m	buildable area footprint
	[42.6 ft.] in height);	schedule in by-law; minimum
	- 6.0 m (19.7 ft.) (for portion	of 5.2 m (17.1 ft.) on the
	of the building above 13.0 m	north side and 9.5 m (31.2 ft.)
	[42.6 ft.] in height)	on the south side
Maximum encroachment of a	1.0 m (3.3 ft.)	1.5 m (4.9 ft.)
balcony located above the first		
storey		
Maximum Height	The lesser of 13.0 m	The lesser of 17.0 m (55.8 ft.)
	(42.7 ft.) or 4 storeys	or 5 storeys



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Recommendation PDC-0041-2011

PDC-0041-2011

- "1. That the Report dated August 16, 2011, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "General Retail Commercial" to "Residential High Density I" and to change the Zoning from "C2" (Neighbourhood Commercial) to "RA1-Exception" (Apartment Dwellings), to permit a five storey, 154 unit condominium apartment building under file OZ 10/015 W8, Vandyk Windows on the Green Limited, 3170 Erin Mills Parkway, south of South Millway, between Erin Mills Parkway and Fifth Line West, be received for information.
- 2. That the following correspondence, be received:
 - (1) Email dated August 22, 2011 from Jill Robinson.
 - (2) Email dated September 4, 2011 from Gina lamarino.
 - (3) Email dated September 2, 2011 from Cynthia Tibbie.
 - (4) Email dated September 6, 2011 from Cheryl and Angelo Ho.
 - (5) Email dated September 6, 2011 from Bryan Bedford and Kimberley Clancy."

Recommended Official Plan Amendment Provisions – Special Site Policies

The following outlines the nature of required Special Site Area provisions of the Erin Mills District Plan:

Entire Site:

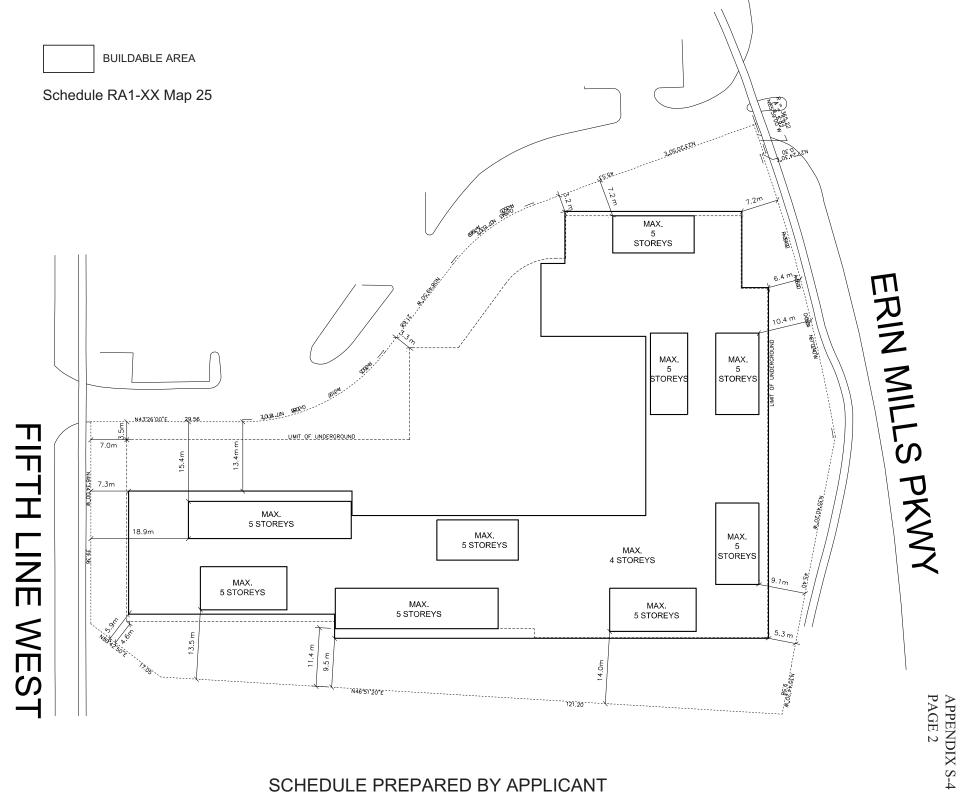
- "Residential High Density I" designation ("Residential High Density" for Mississauga Official Plan);
- maximum height of 5 storeys.

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Recommended Zoning Provisions

Standard	"RA1-Exception" By-law Standard
Parking	No change requested: standard residential condominium requirements are as follows: 1.25 resident spaces per one-bedroom unit 1.40 resident spaces per two-bedroom unit 0.20 visitor spaces per unit
Maximum number of dwelling units	154
Maximum Floor Space Index – Apartment Dwelling Zone	1.45
Maximum Gross Floor Area – Apartment Dwelling Zone	15 920 m ² (171,367 sq. ft.)
Maximum encroachment of a balcony located above the first storey, sunroom, chimney, pilaster, cornice, balustrade or roof eaves into a required yard	1.5 m (4.9 ft.)
Maximum height of the 4 storey portions of the building	14.5 m (47.6 ft.)
Maximum height of the 5 storey portions of the building	17.0 m (55.8 ft.)

Any other development standards required to be consistent with the revised site plan (Appendix S-5), revised building elevations (Appendix S-6) and Appendix S-4, Page 2 (Schedule RA1-XX, showing the buildable area, minimum setbacks and maximum heights, as prepared by the applicant).



ELEVATIONS

