



Corporate Report

Clerk's Files

Originator's
Files OZ 11/017 W1

PDC APR 2 2013

DATE: March 12, 2013

TO: Chair and Members of Planning and Development Committee
Meeting Date: April 2, 2013

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Official Plan Amendment and Rezoning Applications
To permit retail commercial and office uses fronting Lakeshore
Road East, apartment and townhouse dwellings to the rear and
public greenspace bordering Cooksville Creek
447, 453, 501 Lakeshore Road East and
1021, 1027, 1077 Enola Avenue
Northeast corner of Lakeshore Road East and Enola Avenue
Owner: 501 Lakeshore Inc., Trinity Properties Lakeshore Inc.
and 1716336 Ontario Inc.
Applicant: Korsiak and Company Inc.
Bill 51

Public Meeting **Ward 1**

RECOMMENDATION: That the Report dated March 12, 2013, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Business Employment", "Mixed Use" and "Residential Low Density II" to "Mixed Use - Special Site", "Residential High Density - Special Site" and "Greenbelt" and to change the Zoning from "E2" (Employment), "C4" (Mainstreet Commercial) and "R3" (Detached Dwellings - Typical Lots) to "C4 - Exception" (Mainstreet Commercial), "RA5 - Exception" (Apartment Dwellings) and "G1" (Greenbelt - Natural Hazards) to

permit retail commercial and office uses fronting Lakeshore Road East, apartment and townhouse dwellings to the rear and public greenspace bordering Cooksville Creek under file OZ 11/017 W1, 501 Lakeshore Inc., Trinity Properties Lakeshore Inc. and 1716336 Ontario Inc., 447, 453, 501 Lakeshore Road East and 1021, 1027, 1077 Enola Avenue, northeast corner of Lakeshore Road East and Enola Avenue, be received for information.

**REPORT
HIGHLIGHTS:**

- The applications have been made to allow for the development of the lands for retail commercial and office uses adjacent to Lakeshore Road East and apartments and townhouses to the rear of the site;
- Community concerns include the scale of the proposed development, the impact of large format retail uses on existing retail commercial development along Lakeshore Road East within both Lakeview and Port Credit, the appropriateness of the proposed residential building heights, the transition of proposed apartment dwellings to existing low density development to the north and west; and traffic impacts on both Lakeshore Road East and Enola Avenue;
- The applications have been appealed to the Ontario Municipal Board (OMB) and a ten (10) day hearing has been scheduled to commence on June 17, 2013;
- A future Supplementary Report will address outstanding matters, the resolution of any issues, as appropriate and will seek Council's direction on the applications and the appeals, including for City staff participating in the upcoming OMB proceedings regarding this matter.

BACKGROUND:

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

The applications were appealed to the OMB in a letter dated August 8, 2012, citing the failure of Council to make a decision within the time-frame prescribed by the *Planning Act*. During a first prehearing conference held on November 20, 2012, a tentative hearing date of May 6, 2013 was established, notwithstanding that a revised submission of materials responding to the Regional expropriation of a portion of the lands had not yet been submitted.

In addition, a second prehearing conference was scheduled for February 11, 2013, during which the hearing date was rescheduled to June 17, 2013 to run for 10 days. It should be noted that City Legal Counsel has advised of the need for deferral of any hearing should the proposal be further revised, thereby requiring additional staff review.

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

COMMENTS:

Details of the proposal are as follows:

Development Proposal	
Applications submitted:	November 30, 2011 (Received) December 15, 2011 (Deemed Complete) December 4, 2012 (Revised)
Height:	4 to 20 storeys - Residential 1 to 2 storeys - Commercial
Lot Coverage:	51% Commercial
Floor Space Index:	1.87 Residential
Landscaped Area:	33% - Residential 10% - Commercial
Net Residential Density:	188 units/ha 76 units/acre
Gross Floor Area:	13 622 m ² (146,630 sq. ft.) - Commercial 37 832 m ² (407,234 sq. ft.) - Residential
Number of units:	365 apartment dwelling units 15 townhouse dwelling units 380 dwelling units total
Anticipated Population:	935* *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

Development Proposal	
Parking Required:	598 spaces - Residential 540 spaces - Commercial
Parking Provided:	630 spaces - Residential 467 spaces - Commercial
Supporting Documents:	Planning Justification Report, Urban Design and Streetscape Analysis, Stormwater Management Report, Functional Servicing Report, Traffic Impact Study, Noise Report, Railway Vibration Analysis, Environmental Site Assessment Reports, Parking Supply Review Report, Tree Inventory and Preservation Plan

Site Characteristics	
Frontage:	180.65 m (592.7 ft.) - irregular
Depth:	336.3 m (1,103.4 ft.) - irregular
Net Lot Area:	2.02 ha (4.99 ac.) - Residential 2.64 ha (6.52 ac.) - Commercial 4.66 ha (11.52 ac.) - Total
Existing Use:	Industrial - Former Inglis appliance manufacturing facility

In addition to the above details and the information provided on the Concept Plan submitted (see Appendix I-5), the following additional details are provided to assist in understanding the development as proposed:

- The proposed commercial development adjacent to the Lakeshore Road East frontage includes two driveway access locations on Lakeshore Road East and two on Enola Avenue; the easterly most Lakeshore Road East access is proposed to be signalized and run through both the commercial and residential components of the development before connecting with Enola Avenue.
- Four (4) separate commercial structures are proposed; two, 1 storey buildings along the east side of the signalized

private road, one large structure on the west side of the private road, which includes four buildings on the ground floor and a large second level that sits above these buildings and the central parking area. The upper level commercial space is intended for one or two large format retail tenants and makes up 8 857 m² (95,339 sq. ft.) of the 13 622 m² (146 638 sq. ft.) Gross Floor Area proposed for retail commercial and office uses on-site. The last commercial building is located at the northeast corner of Lakeshore Road East and Enola Avenue and is 2 storeys in height with ground level retail commercial and upper level office uses.

- To the rear of the site, two apartment buildings, with 8 townhouses incorporated into the front facades are proposed on the northeast side of the private road and 7 townhouses in a single block are proposed on the southwest side. The apartment buildings range in height from 6 to 20 storeys, with the lowest height to the west. The townhouses are 3 storeys in height.
- Residential parking is proposed to be provided within above grade parking structures making up the first 3 to 4 floors of the two apartment buildings. The parking structures are to be faced with townhouse dwellings along the internal private road and treated with a similar architectural treatment as the rest of the buildings on the remaining facades. Details of the architectural treatment have not yet been provided.

Additional information is provided in Appendices I-1 to I-11.

Neighbourhood Context

The subject property is located in the Lakeview Neighbourhood which is predominantly a stable established residential area. The frontage portions of the lands lie within a linear commercial area along Lakeshore Road East; whereas the rear portion of the lands lie within a residential area comprised of a mix of residential unit

types. The site, which is generally flat, slopes from the northwest to the southeast toward the Cooksville Creek which borders the site on its east side. Two large industrial buildings and associated asphalt parking and loading areas are presently located on the lands. Little vegetation and landscaping is present on site.

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

The surrounding land uses are described as follows:

- North: Detached and semi-detached dwellings beyond the CNR Mainline
- East: Vacant lands, subject to applications for Draft Plan of Subdivision, Official Plan Amendment and Rezoning to accommodate townhouse dwellings beyond Cooksville Creek
- South: A mix of commercial uses and detached and apartment dwellings along Lakeshore Road East
- West: Detached, semi-detached and apartment dwellings fronting onto Enola Avenue

Current Mississauga Official Plan Designation and Policies for Lakeview Local Area Plan (November 14, 2012)

Mississauga Official Plan was adopted by City Council on September 29, 2010 and partially approved by the Region of Peel on September 22, 2011. The Plan was appealed in its entirety, however, on November 14, 2012, the OMB issued a Notice of Decision approving Mississauga Official Plan, as modified, save and except certain appeals which have no effect on the subject applications.

The subject lands are located within a **Neighbourhood Area** (Lakeview Local Area Plan) and on a **Corridor** (Lakeshore Road East). The lands are designated "**Business Employment**", "**Mixed Use**" and "**Residential Low Density II**".

"Business Employment" permits an integrated mix of business activities that operate mainly within enclosed buildings. Business Employment activities along City boundaries, major roads, and adjacent to park, greenbelt or residential lands; will through design, siting and landscaping present a higher standard of building, landscape and streetscape design. **"Mixed Use"** permits a mixture of personal service, commercial, office, institutional and residential use. **"Residential Low Density II"** permits detached, semi-detached, duplex, triplex and street townhouse dwellings.

The applications are not in conformity with the existing land use designations.

There are other policies in the Official Plan which also are applicable in the review of these applications which have been outlined within Appendix I-9.

Proposed Official Plan Designation and Policies

"Mixed Use - Special Site" to permit a mixed use development consisting of retail commercial and office uses. Special site provisions are required to allow for one storey retail commercial buildings not directly fronting Lakeshore Road East; whereas a minimum of two storeys would be required.

"Residential High Density - Special Site" to permit the development of apartment dwellings to a maximum height of 20 storeys, with a maximum Floor Space Index (FSI) of 2.0.

"Greenbelt" to identify lands associated with the Cooksville Creek natural hazard where development is restricted.

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 to be converted to non-employment uses. Further, the *Planning Act*

identifies the adequate provision of employment opportunities as a matter of Provincial interest.

In June 2008, an Employment Land Review Study was undertaken by Hemson Consulting Ltd. as part of the Mississauga Plan review to ensure conformity with Provincial initiatives and fulfill *Planning Act* requirements. This study identified the subject lands as being part of an area of "Managed Change Outside Existing Employment Areas" which are defined as scattered vacant or under-utilized sites outside of designated Employment Districts. They include vacant sites that are 'remnant' or otherwise may be constrained and unlikely to develop as employment land, and may be suitable for other uses.

Lakeview Local Area Plan Review

In November 2007, the City initiated Phase I – Public Engagement and Vision of the Lakeview and Port Credit District Policies Review. This process culminated in the preparation of the "Lakeview and Port Credit District Policies Review and Public Engagement Process – Directions Report" (Directions Report) which was presented to Planning and Development Committee (PDC) in November 2008. One of the recommendations was for staff to prepare revised District Policies (now Local Area Plans) based on policy recommendations outlined in the Directions Report. Staff was also directed to set up Local Advisory Panels to facilitate discussion with stakeholders.

Staff is presently preparing the draft policies of the Lakeview Local Area Plan and expect to present them to PDC late this year. At that time, staff will be requesting to circulate the Area Plan and to begin the formal public consultation process.

Criteria for Site Specific Official Plan Amendments

Section 19.5 of Mississauga Official 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 are adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed application;
- a planning rationale with reference to Mississauga Official Plan policies, other relevant policies, good planning principles and the merits of the proposed amendment in comparison with the existing designation has been provided by the applicant.

Existing Zoning

"E2" (Employment), which permits a wide variety of employment uses which function primarily within wholly enclosed buildings or structures.

"C4" (Mainstreet Commercial), which permits a mix of retail, service commercial, office and residential uses. Buildings are to be located at the street edge with front yards of 0 m (0 ft.) to 3.0 m (9.8 ft.) with a minimum building height of 2 storeys and a maximum building height of 3 storeys.

"R3" (Detached Dwelling - Typical Lots), which permits detached dwellings with a minimum lot area of 550 m² (5,920 sq. ft.), minimum lot frontage of 15.0 m (49.2 ft.) and maximum height of 10.7 m (35 ft.).

Proposed Zoning By-law Amendment

"C4 - Exception" (Mainstreet Commercial), to permit retail commercial development in accordance with standards contained within Appendix I-10.

"RA5 - Exception" (Apartment Dwellings), to permit apartment, townhouse and horizontal multiple dwellings in accordance with the standards contained within Appendix I-10.

"G1" (Greenbelt - Natural Hazards), to reflect the limits of development associated with Cooksville Creek.

Bonus Zoning

On September 26, 2012, Council adopted Corporate Policy and Procedure 07-03-01 - Bonus Zoning. In accordance with Section 37 of the *Planning Act* and policies contained in the Official Plan, this policy enables the City to secure community benefits when increases in permitted development are deemed good planning by Council through the approval of a development application. Should these applications be approved in principle by Council, or through the OMB, the City may require the provision of community benefits as a condition of approval.

COMMUNITY ISSUES

A community meeting was held by Ward 1 Councillor, Jim Tovey on April 4, 2012.

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

Comment

Who will occupy the large anchor tenant space on the upper level of the commercial development?

Response

The applicant has advised that several retailers have expressed interest in this space including Wal-Mart, Target, No Frills and Sobeys. This second level space is configured to accommodate either one or two large format retailers. Discussions with potential tenants are ongoing and the tenant(s) remain unknown at this point in time.

Comment

Enersource Hydro Mississauga has recently erected new overhead hydro lines along Lakeshore Road East, adjacent to the subject lands. What would happen to these new wires given that the buildings are proposed to front Lakeshore Road East with no setback?

Response

The applicant has advised that it is their intent to bury any overhead wires, including those recently erected by Enersource. The applicant has further advised that existing below grade services will be relocated to accommodate standard streetscape upgrades as a condition of approval.

Comment

Given the long industrial history of the site, are the lands contaminated, and if so, how will the contamination be addressed?

Response

The applicant has provided supporting materials which have evaluated the condition of soils and ground water on site. These reports indicate that the lands are presently contaminated. The applicant has commenced a Risk Assessment process with the Ministry of Environment. Additional details have been provided within the Transportation and Works Department comments contained within Appendix I-7 and within the Development Issues

section of this report. Commentary about this issue will be provided within a future Supplementary Report.

Comment

What is the proposed tenure of the residential units and will assisted housing be included?

Response

All residential units are proposed to be of condominium tenure. The applicant has advised that assisted housing units are not being considered at this time.

Comment

Traffic concerns were raised with regard to increased traffic volumes on both Lakeshore Road East and Enola Avenue. In addition, concerns were expressed with regard to additional delays and conflicts for vehicles exiting Beechwood Avenue to the south.

Response

Revisions have been requested to the site access configuration, including accommodating a signalized access on Lakeshore Road East which better aligns with Beechwood Avenue (see Appendix I-7, Transportation and Works Department comments and the Development Issues section of this report). A Traffic Impact Study has been submitted in support of the applications and comments will be provided in a future Supplementary Report.

Comments

What is the expected construction timing of the proposed development? If the residential is to be constructed after the commercial, what assurances will be provided that the residential will be constructed?

Response

Trinity is a commercial builder and intends to bring on another builder to undertake construction of the residential component. The applicant has advised that it is their intent to commence construction concurrently, but note that the residential could take longer to sell and construct. Construction of the commercial is expected to take 18 months to complete. Any change to the residential component of the development in the future would require new *Planning Act* applications and a further public consultation process.

Comments

A discount retailer is not appropriate and this concentration of retail will undermine existing retail stores within the Lakeview and Port Credit communities.

Response

These matters will be addressed in a future Supplementary Report.

Comment

Does the proposed development conform to the Legacy (Inspiration Lakeview) Project?

Response

Inspiration Lakeview is an ongoing process which may result in changes to the Mississauga Official Plan and other policy and regulatory documents. There are no policies from Inspiration Lakeview in effect and as such the applications must be evaluated in accordance with the existing policy framework.

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 Official Plan policies, the following will have to be addressed:

Region of Peel Sanitary Sewage Pump Station

Presently there is a lack of sanitary sewage capacity in a large portion of south-central Mississauga. In response, the Region of Peel commenced an Environmental Assessment process in 2006 to evaluate options to provide additional capacity in this catchment area. The 'preferred' location to provide additional pumping capacity was identified as 501 Lakeshore Road East and efforts have been ongoing since that time to plan, design and construct the necessary infrastructure. The proposed development cannot proceed in advance of the required pump station.

Subsequent to the submission of these applications, the Region of Peel expropriated 0.17 ha (0.43 ac.) along the Lakeshore Road East frontage of the subject lands for the purpose of constructing the pump station. These lands are now municipally known as 505 Lakeshore Road East. The subject applications were formally revised in December 2012 to reflect the Regional expropriation. The Region has submitted an application for Site Plan approval, under file SP 12/172 W1 and received approval from the Committee of Adjustment to provide reduced setback requirements to accommodate the pump station on 505 Lakeshore Road East.

The applicant and the Region of Peel have both advised that discussions are underway exploring opportunities to exchange the frontage lands on Lakeshore Road East for lands further north, within the subject site. Further revisions to the Concept Plan would be necessary should an agreement to locate the pump station elsewhere on site be reached.

Site Contamination

Studies submitted in support of these applications have concluded that soil and groundwater contamination exists on site. The applicant is presently pursuing a Risk Assessment (RA) process with the Ministry of Environment. While it is more common

through the development approval process to identify the location and extent of site contamination for the purpose of remediation, the RA process is based on leaving all or a portion of the contamination in situ and examining the risk posed to humans, plants, wildlife and the natural environment from exposure to contamination. The RA is to develop standards that will protect the uses that are being proposed on the property and may include the identification of risk management measures that must be incorporated into the development to ensure an appropriate level of public safety. Measures could include, but are not limited to, prohibitions on basements, use of specialized or contained heating and cooling systems, the use of migration barriers, or ongoing treatment options. An ongoing monitoring program implemented by the developer and maintained by the ultimate property owner is often a requirement resulting from the RA process.

It should be noted that reports submitted to date indicate that contamination has migrated off-site. Lands proposed to be conveyed to the City as greenbelt, as well as lands presently owned by Credit Valley conservation as part of the Cooksville Creek natural hazard, may be affected by this off-site migration. The ultimate owners of these lands would be responsible in perpetuity for maintaining any approved risk management measures such as groundwater or vapour monitoring.

An outside consultant with a specialization in the Risk Assessment process, soil and groundwater contamination and hydrogeology has been engaged by the City to assist in the review of these matters. The Ministry of Environment is presently reviewing the RA submission which is not expected to conclude before the planning process and, as such, additional information resulting from the consultant's review of the RA materials will be outlined within a future Supplementary Report.

Signalized Lakeshore Road East Access

Staff have expressed concerns with regard to the location of the signalized internal road, encouraging it to be located as far east as possible to align with Beechwood Avenue to the south. In this

regard, the location of the pump station lands within the southeast corner of the site would prevent a direct alignment. However, efforts have been undertaken through the review and processing of the Site Plan application for the pump station building and above grade structures to be located as far east on-site as possible. In addition, the Region has agreed to grant a public use/access easement over the westerly portion of their lands to allow most of the signalized intersection to be constructed over the westerly portion of 505 Lakeshore Road East. Although not ideal, a more functional intersection with Beechwood Avenue to the south would result. The Concept Plan has not been modified to accommodate the requested alignment.

Site Layout and Design Considerations

Planning and Urban Design concerns centre around the location and orientation of retail commercial uses that are internal to the site and away from Lakeshore Road East, the location of the main internal road and building orientation relative to Cooksville Creek, the height of residential apartment buildings and the transition of height to the existing ground based residential units fronting onto Enola Avenue. Revisions to the Concept Plan and proposed amending documents have been requested in regard to these matters but have not been satisfactorily addressed to date.

OTHER INFORMATION

Development Requirements

In conjunction with the proposed development, there are certain other engineering and conservation matters with respect to warning clauses, on-site remediation, flood plain management and restoration and streetscape works 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: In order to meet process requirements and to allow staff to prepare for upcoming OMB proceedings, the Planning and Building Department will be coming forward with recommendations to seek direction from Council.

ATTACHMENTS:

- Appendix I-1: Site History
- Appendix I-2: Aerial Photograph
- Appendix I-3: Excerpt of Lakeview 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: School Accommodation
- Appendix I-9: Relevant Mississauga Official Plan Policies
- Appendix I-10: Proposed Zoning Standards
- Appendix I-11: General Context Map

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: John Hardcastle, Development Planner

Site History

- January 8, 1999 – Region of Peel approved the Lakeview District Policies of City Plan, which designated the lands "Business Employment", "Mixed Commercial" and "Residential Low Density II".
- May 5, 2003 – Region of Peel approved the Lakeview District Policies of Mississauga Plan, which designated the lands "Business Employment", "Mainstreet Retail Commercial" and "Residential Low Density II".
- May 26, 2004 – Official Plan Amendment (OPA) #2 was approved by Council implementing the findings and recommendations of the April 2003 Special Policy Area Study for the Cooksville Creek Floodplain, prepared by Phillips Engineering. OPA #2 resulted in the creation of Special Site 21 in the Lakeview District Policies of Mississauga Plan.
- June 22, 2004 – OPA #2 was appealed to the OMB.
- March 10, 2005 – OPA #2 was approved as modified by the OMB and incorporated into the Lakeview District Policies of Mississauga Plan as Special Site 21.
- June 20, 2007 – Zoning By-law 0225-2007 came into force except for those sites which have been appealed. As no appeals were filed, the provisions of the new By-law apply. The subject lands are zoned "E2" (Employment), "C4" (Mainstreet Commercial) and "R3" (Detached Dwelling - Typical Lots).
- Summer 2009 – Floodline mapping revised by the CVC to reflect the reconstruction and upsizing of the Cooksville Creek culverts at Lakeshore Road East. Based upon revised mapping, the proposed development can achieve flood free access at certain locations on site.



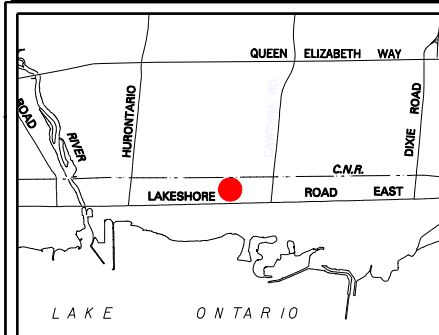
LEGEND:

 **SUBJECT LANDS**

DATE OF AERIAL IMAGERY: SPRING 2012



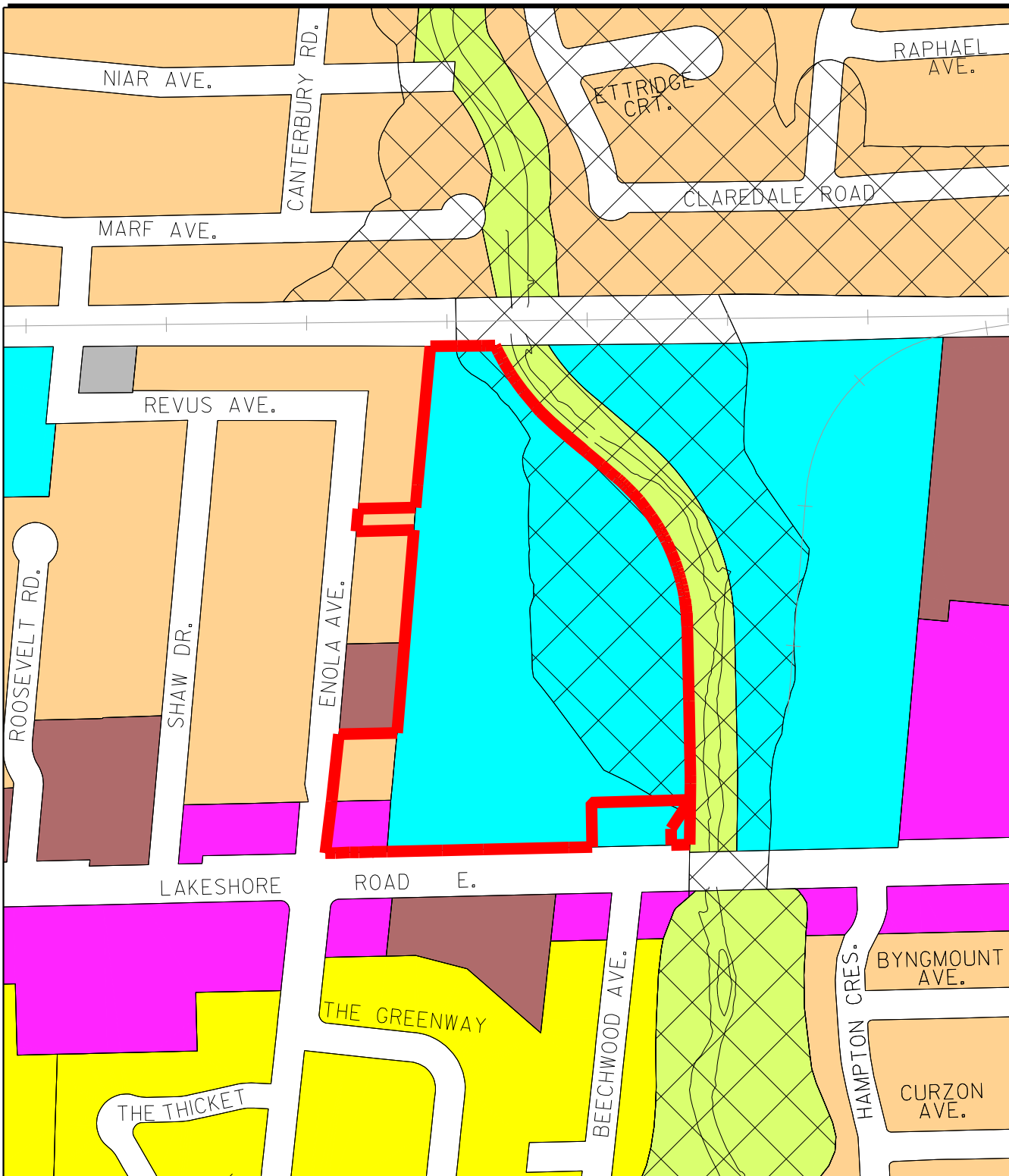
SUBJECT:
501 LAKESHORE INC., TRINITY PROPERTIES LAKESHORE INC.,
AND 1716336 ONTARIO INC.



FILE NO: OZ 11/017 W1	
DWG. NO: 11017A	
SCALE: 1:3500	
PDC DATE: 2013/04/02	APPENDIX I-2
DRAWN BY: A.SHAH	

MISSISSAUGA
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PART OF SCHEDULE 10 LAND USE DESIGNATIONS OF MISSISSAUGA OFFICIAL PLAN

LAND USE DESIGNATIONS

- | | |
|----------------------------|---------------------|
| Residential Low Density I | Business Employment |
| Residential Low Density II | Industrial |
| Residential Medium Density | Airport |
| Residential High Density | Institutional |
| Downtown Mixed Use | Public Open Space |
| Downtown Core Commercial | Private Open Space |
| Mixed Use | Greenbelt |
| Convenience Commercial | Parkway Belt West |
| Motor Vehicle Commercial | Utility |
| Office | To Be Determined |

LAND USE LEGEND

- | | |
|---|------------------------------|
| Heritage Conservation District | Civic Centre (City Hall) |
| 1996 NEP/2000 NEF Composite Noise Contours | City Centre/Transit Terminal |
| LBPIA Operating Area Boundary See Aircraft Noise Policies | GO Rail Transit Station |
| Area Exempt from LBPIA Operating Area | Public School |
| Natural Hazards | Catholic School |
| | Hospital |
| | Community Facilities |

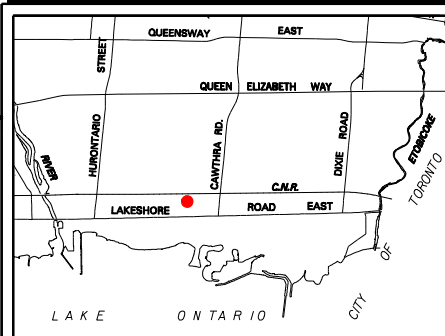
CITY STRUCTURE

- Elements**
- | | |
|----------------|----------------------|
| Downtown | Corporate Centre |
| Major Node | Employment Area |
| Community Node | Special Purpose Area |
| Neighbourhood | |
- ND2 Region of Peel Non-Decision

SUBJECT LANDS



SUBJECT:
501 LAKESHORE INC., TRINITY PROPERTIES LAKESHORE INC., AND 1716336 ONTARIO INC.



FILE NO:
OZ 11/07 W1

DWG. NO:
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SCALE:
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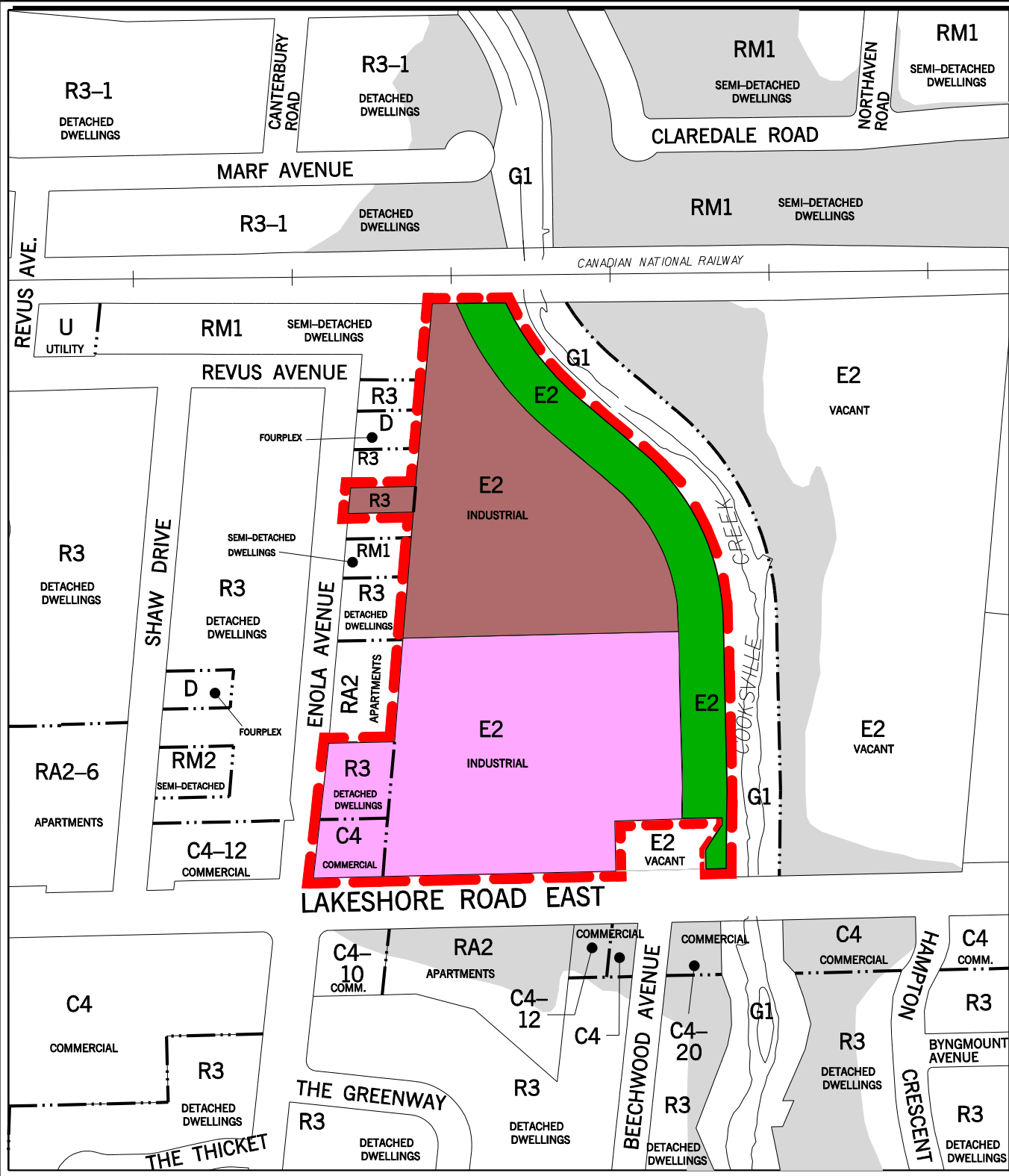
DATE:
2013/04/02

DRAWN BY:
A.SHAH

APPENDIX I-3

MISSISSAUGA
 Planning and Building

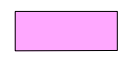
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LEGEND:



SUBJECT LANDS



PROPOSED OFFICIAL PLAN AMENDMENT FROM "RESIDENTIAL LOW DENSITY II", "MIXED USE" AND "BUSINESS EMPLOYMENT" TO "MIXED USE-SPECIAL SITE" AND PROPOSED REZONING FROM "R3" (DETACHED DWELLINGS-TYPICAL LOTS), "C4" (MAINSTREET COMMERCIAL) AND "E2" (EMPLOYMENT) TO "C4-EXCEPTION" (MAINSTREET COMMERCIAL) TO PERMIT A MIX OF RETAIL COMMERCIAL AND OFFICE USES.



PROPOSED OFFICIAL PLAN AMENDMENT FROM "RESIDENTIAL LOW DENSITY II" AND "BUSINESS EMPLOYMENT" TO "RESIDENTIAL HIGH DENSITY-SPECIAL SITE" AND PROPOSED REZONING FROM "R3" (DETACHED DWELLINGS-TYPICAL LOTS) AND "E2" (EMPLOYMENT) TO "RA5-EXCEPTION" (APARTMENT DWELLINGS) TO PERMIT APARTMENT DWELLINGS, TOWNHOUSE DWELLINGS AND ALL FORMS OF LOW-RISE MULTIPLE DWELLINGS.

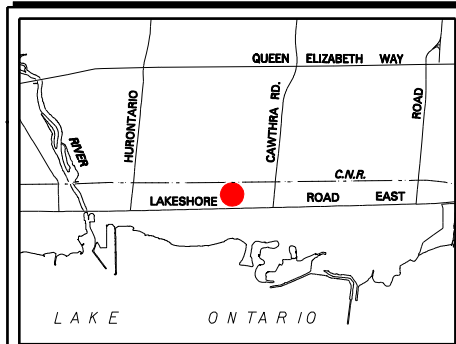


PROPOSED OFFICIAL PLAN AMENDMENT FROM "BUSINESS EMPLOYMENT" TO "GREENBELT" AND PROPOSED REZONING FROM "E2" (EMPLOYMENT) TO "G1" (GREENBELT-NATURAL HAZARDS) TO PERMIT GREENBELT.

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



SUBJECT:
501 LAKESHORE INC., TRINITY PROPERTIES LAKESHORE INC., AND 1716336 ONTARIO INC.

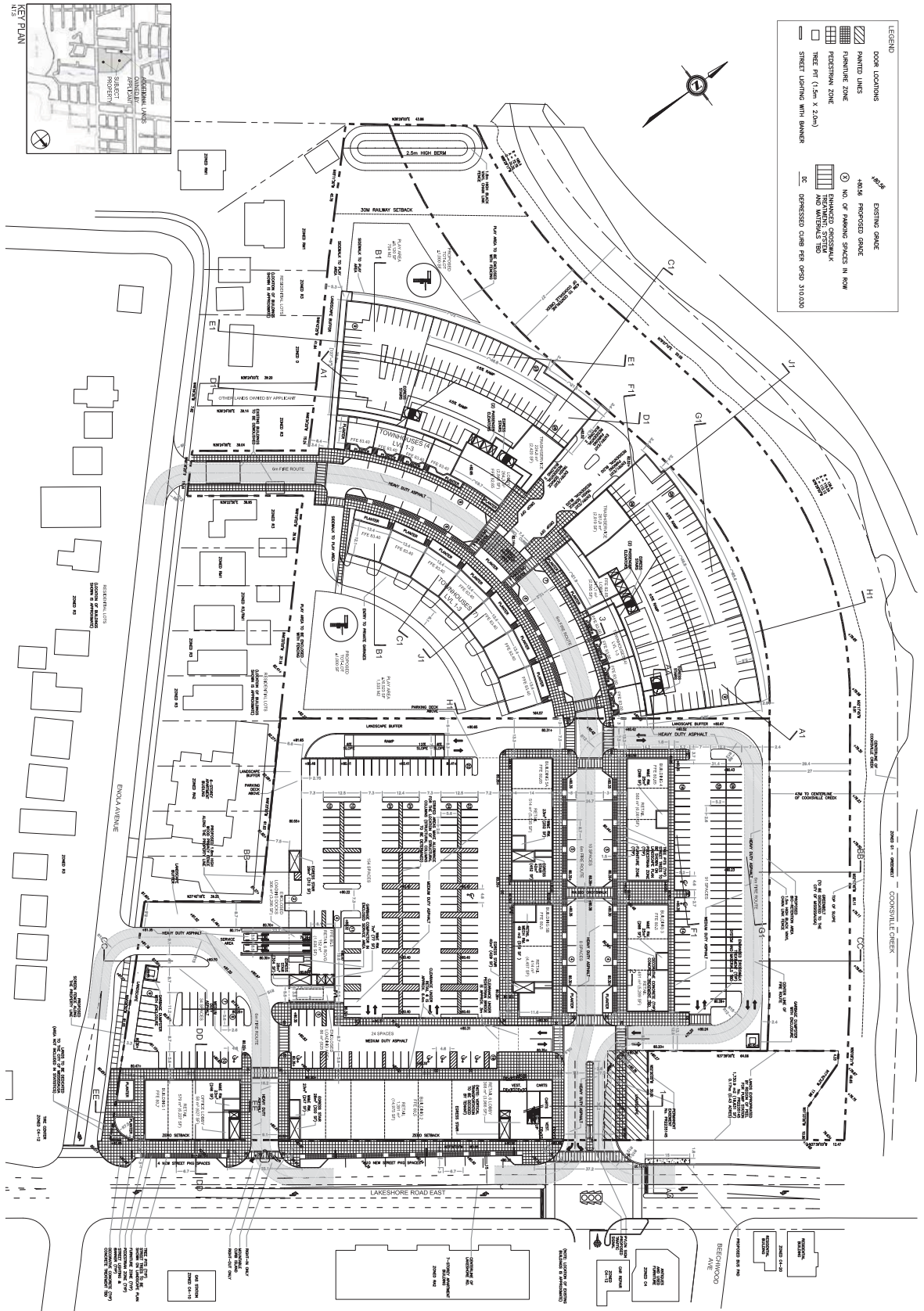


FILE NO: OZ 11/017 W1	
DWG. NO: 11017R	
SCALE: 1:3500	
PDC DATE: 2013/04/02	APPENDIX I-4
DRAWN BY: A.SHAH	

MISSISSAUGA
Planning and Building

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CONCEPT PLAN





PROPOSED ELEVATIONS

501 Lakeshore Inc. et. al.

File: OZ 11/017 W1

Agency Comments

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

Agency / Comment Date	Comment
Region of Peel (March 1, 2013)	<p>Comments detailed Regional servicing facilities in the vicinity of the site, acknowledged revision requirements to the Functional Servicing Report (FSR) necessary prior to the preparation of a Supplementary Report and garbage collection and agreement requirements.</p> <p>In addition, comments advised that additional easement requirements for access and servicing connections for the Beechwood Pumping Station will be forthcoming upon finalization of building design and placement.</p>
Dufferin-Peel Catholic District School Board and the Peel District School Board (March 1, 2013)	<p>Both School Boards responded that they are satisfied with the current provision of educational facilities for the catchment area and, as such, the school accommodation condition as required by City of Mississauga Council Resolution 152-98 pertaining to satisfactory arrangements regarding the adequate provision and distribution of educational facilities need not be applied for these development applications.</p> <p>In addition, if approved, both School Boards also require that warning clauses with respect to temporary school and transportation arrangements be included in any Agreements of Purchase and Sale and the Development and/or Servicing Agreements.</p>
Credit Valley Conservation (February 6, 2013)	<p>The subject lands contain a portion of the Cooksville Creek corridor and are subject to Credit Valley Conservation's (CVC's) Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation – Ontario Regulation 160/06. As such, a permit from CVC is required prior to any development occurring within the Regulated Area on the site.</p> <p>CVC staff is satisfied with the feasibility of the proposed works associated with the modifications to the valley corridor</p>

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	<p>consistent with the recommendations of the "Special Policy Area Study For The Cooksville Creek Floodplain" (prepared for the City of Mississauga, April 2003). Accordingly, CVC staff recommends the applicant be required to enter into a development and/or servicing agreement which include provisions pertaining to the following:</p> <ol style="list-style-type: none"> 1. Appropriate Official Plan and Zoning By-law designations of the creek corridor; 2. Dedication of the creek corridor to the City; 3. Restoration of valley corridor, including the removal of the existing bridge and restoration and enhancement of the valley corridor; 4. Detailed plans related to stormwater management, grading (including proposed cut-fill and valleyland grading), landscape restoration, and erosion and sediment control measures; 5. Confirmation of the stability of the proposed flood control landform from a qualified geotechnical engineer; and 6. Confirmation that the portions of the subject property proposed for development have been removed from the flood and/or erosion hazard associated with Cooksville Creek. This provision should be required prior to final by-law enactment, implemented through a holding provision or other measure as deemed appropriate by the City. <p>It is anticipated that the CVC permitting process will be implemented in two phases. The first phase will deal with the works necessary to remove portions of the property proposed for development out of the hazards, in an effort to fulfill item no. 6 above. The second phase will deal with permitting the works associated with table land grading and construction of any buildings or structures within the Regulated Area, outside of the valley corridor. Works associated with the removal of the bridge and restoration, enhancement or site remediation of the valley corridor may be implemented through either phase of the permitting process as appropriate.</p> <p>A Risk Assessment approach to the existing soil and ground water contamination is being pursued and that a recent</p>

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	<p>resubmission was provided to the Ministry of Environment. Materials reviewed to date indicate that contamination may have entered the adjacent CVC lands to the east. CVC staff request that all supporting materials be provided to CVC staff for review and additional comments under separate cover may be provided.</p>
<p>City Community Services Department – Parks and Forestry Division/Park Planning Section (March 1, 2013)</p>	<p>Future residents of the proposal will receive park service at the Adamson Estate (P-169), which is located approximately 275 m (902 ft.) from the subject site and contains recreational trails that form part of the City’s waterfront trail network. Spruce Park (P-029) is located approximately 390 m (1,279 ft.) from the subject property and contains basketball hoops, a play set and recreational trails. Both facilities provide public parking as well.</p> <p>In the event that the applications are approved, the Community Services Department - Park Planning note the following conditions:</p> <p>Prior to By-Law Enactment, the lands below the Regional Storm floodplain, or within the stability and/or erosion component of the valley slope, whichever is greater, shall be deeded gratuitously to the City as greenbelt and shall be appropriately zoned. The Risk Assessment Addendum submitted by the applicant states the existence of contaminants on site and recommends several monitoring responsibilities that the City would be responsible for as a condition of the aforementioned gratuitous land dedication. Prior to accepting ownership of lands below the Regional Storm Floodplain, remediation procedures and resulting site conditions must be to the satisfaction of the City’s Community Services Department and Transportation and Works Department. Community Services is not prepared to take on monitoring responsibilities as outlined in the Risk Assessment Addendum. Further, the applicant is required to submit a Greenbelt Restoration Plan that will include greenbelt grading details, a rehabilitation plan, a tree inventory and preservation plan and address the removal of any encumbrances and any related underground infrastructure. Securities will be required for the reinstatement of the Greenbelt lands.</p>

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	Prior to the issuance of building permits for each lot or block cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the <i>Planning Act</i> (R.S.O. 1990, c.P. 13, as amended) and in accordance with City's Policies and By-laws.
City Community Services Department – Fire and Emergency Services Division (March 4, 2013)	Fire has reviewed the applications from an emergency response perspective and has no concerns; emergency response time to the site and water supply available are acceptable.
City Economic Development Office (February 21, 2013)	<p>The Economic Development Office advised they have no comments or concerns from an economic development perspective. As such, they have no objection to the continued processing of the applications.</p> <p>The site is not part of a homogeneous business employment area. Rather it can be viewed as an anomaly based on a historic manufacturing use within an area now characterized primarily as residential in nature with mainsheet retail uses along the north and south side of Lakeshore Road East, in proximity to this property. The long term economic viability of the retained 'business employment' land use designation on this property is limited from our perspective. The ability to attract either industrial or office commercial uses appear limited given the sites location within the City. They are of the opinion the redesignation of this property to a mixed-use development, including retail and office commercial uses, would not significantly impact the City's employment base or jeopardise or establish a domino effect within other employment land areas of the planning district; most notably those lands located south of Lakeshore Road East between Hydro Road and East Avenue.</p>
City Transportation and Works Department (February 7, 2013)	The applicant has also provided Phase 1 and Phase 2 Environmental Site Assessment (ESA) reports and a draft Risk Assessment report for review. The Phase 2 ESA has indicated that ground water on the site is contaminated with Volatile Organic Compounds (VOC's), including vinyl chloride. As the site is proposed to change from a less sensitive use to a more sensitive use, a Record of Site Condition (RSC) must be

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	<p>filed on the Ministry of Environment's (MOE) Environmental Registry in accordance with Ontario Regulation 153/04, as amended.</p> <p>The applicant is proposing to use a Risk Assessment approach to deal with the contamination, rather than remediating the site and has submitted a draft Risk Assessment report to the MOE. The MOE has provided comments to the applicant and an Addendum report has recently been submitted for MOE review. This process is not likely to conclude in advance of the planning process and the MOE's position may not be known prior to the preparation of a Supplementary Report.</p> <p>It would be preferable to remediate the site rather than to utilize a Risk Assessment approach to dealing with the ground water contamination on the site. However, the services of an outside consulting firm with risk assessment expertise has been retained to review the revised Risk Assessment reports and assist with understanding the long term implications and measures which may be required through the planning review process. Additional comments, including necessary adjustments to the proposal, may be forthcoming.</p> <p>A satisfactory Utility Plan and Streetscape Plan have also been requested to determine the feasibility of the proposed boulevard works along Lakeshore Road which may also be required for PUC approval. The owner will also be required to obtain approval from the CVC with respect to cut-fill balances and valleyland grading and any floodplain and landscape restoration work. In addition, the applicant is to provide CVC the results of the digital hydraulic assessment to confirm the feasibility of the proposed floodplain modification works.</p> <p>All lands below the established top of bank or Regional Floodline, whichever is greater, shall be deeded gratuitously to the City and zoned as greenbelt. Prior to the acceptance of any lands, the City of Mississauga requires that all lands dedicated to the City meet appropriate MOE standards.</p>

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Canada Post (March 1, 2013)	<p>A detailed review of the applications has been completed and an easement may be required to service the subject property, depending on a review of more detailed applications under the <i>Planning Act</i>.</p> <p>Canada Post's delivery policy has changed as of January 1, 2013. There is now a fee per unit for all addresses assigned to mail delivery from their Community Mailboxes. Mailroom customers are exempt as their mailboxes are provided by the applicants.</p>
GO Transit (Metrolinx) (March 1, 2013)	<p>In addition to outlining detailed revisions to the supporting drawings, Environmental Noise Feasibility Study and Railway Vibration Analysis, the need for Development Agreement and Purchase and Sale Agreement warning clauses are outlined in their comments.</p>
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> <ul style="list-style-type: none"> - Bell Canada - Enersource Hydro Mississauga - Rogers Cable - Credit Valley Hospital - Canada Post
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <ul style="list-style-type: none"> - Culture Division - Development Services - Realty Services - Hydro One Networks - Conseil Scolaire de District Catholique Centre-Sud - Conseil Scolaire de District Centre-Sud-Ouest - Enbridge Gas Distribution - The Trillium Health Centre

School Accommodation

The Peel District School Board	The Dufferin-Peel Catholic District School Board
<ul style="list-style-type: none"> • Student Yield: <ul style="list-style-type: none"> 26 Kindergarten to Grade 6 14 Grade 7 to Grade 8 27 Grade 9 to Grade 12/OAC • School Accommodation: <ul style="list-style-type: none"> Janet I. McDougald Public School <ul style="list-style-type: none"> Enrolment: 525 Capacity: 580 Portables: 1 Allan A. Martin Sr. Public School <ul style="list-style-type: none"> Enrolment: 462 Capacity: 538 Portables: 1 Cawthra Park Secondary School <ul style="list-style-type: none"> Enrolment: 1,330 Capacity: 1,044 Portables: 6 <p>* Note: Capacity reflects the Ministry of Education rated capacity, not the Board rated capacity, resulting in the requirement of portables.</p>	<ul style="list-style-type: none"> • Student Yield: <ul style="list-style-type: none"> 7 Junior Kindergarten to Grade 8 6 Grade 9 to Grade 12/OAC • School Accommodation: <ul style="list-style-type: none"> St. Dominic <ul style="list-style-type: none"> Enrolment: 293 Capacity: 253 Portables: 5 St. Paul <ul style="list-style-type: none"> Enrolment: 708 Capacity: 807 Portables: 0

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Relevant Mississauga Official Plan Policies

Lakeview Local Area Plan

Section 2.1 - The scale and character of all building and landscape designs will take into consideration the guidelines established in the Lakeshore Road Design Concept.

Section 4.19 - The lands identified as Special Site 19 are located on the north side of Lakeshore Road East west of Cawthra Road and on the east and west sides of Cooksville Creek. Notwithstanding the Business Employment and Greenbelt designations of this Plan, the following additional policy will apply:

a. ingress/egress for all new development will be such that emergency vehicular and pedestrian movement is not prevented during times of flooding in order that safe access/evacuation is ensured. The determination of safe access will be made by the Credit Valley Conservation and the City, and will be based on depth and velocity factors.

Direct Growth

Section 5.1.7 - Mississauga will protect and conserve the character of stable residential Neighbourhoods.

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 5.3.5.5 - Intensification within Neighbourhoods 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.

Road Network

Section 8.2.2.5 - Additional roads may be identified during the review of development applications and the preparation of local area plans. The City may require the completion of road connections and where appropriate, the creation of a denser road pattern through the construction of new roads.

Section 8.2.2.7 - Future additions to the road network should be public roads. Public easements may be required where private roads are permitted.

Build a Desirable Urban Form

Section 9.1.3 - Infill and redevelopment within Neighbourhoods will respect the existing planned character.

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Non-Intensification Areas

Section 9.2.2 - Non-intensification areas will experience limited growth and change; consequently, intensive growth will not be directed to them. Non-Intensification Areas consist of:

- Neighbourhoods;
- Employment Areas;
- Special Purpose Areas; and
- Corridors.

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 9.2.2.3 - Tall buildings will generally not be permitted.

Section 9.2.2.4 - While new development need not mirror existing development, new development in Neighbourhoods will:

- a. respect existing lotting patterns;
- b. respect the continuity of front, rear and side yard setbacks;
- c. respect the scale and character of the surrounding area;
- d. minimize overshadowing and overlook on adjacent neighbours;
- e. incorporate stormwater best management practice;
- f. preserve mature high quality trees and ensure replacement of the tree canopy; and
- g. be designed to respect the existing scale, massing, character and grades of the surrounding area.

Green Systems

Section 9.2.3.1 - Development will be sensitive to the site and ensure that Natural Areas Systems are protected, enhanced and restored.

Public Realm

Section 9.3.1.4 - Development will be designed to:

- a. respect the natural heritage features, such as forests, ridges, valleys, hills, lakes, rivers, streams and creeks;
- b. respect cultural heritage features such as designated buildings, landmarks and districts;
- c. accentuate the significant identity of each Character Area, its open spaces, landmarks and cultural heritage resources;
- d. achieve a street network that connects to adjacent streets and neighbourhoods at regular intervals, wherever possible;
- e. meet universal design principles;
- f. address new development and open spaces;

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- g. be pedestrian-oriented and scaled and support transit use;
- h. be attractive, safe and walkable;
- i. accommodate a multi-modal transportation system; and
- j. allow common rear laneways or parallel service streets to provide direct access for lots fronting arterial roads and major collector roads, when appropriate.

Section 9.3.1.7 - Streetscapes will be designed to create a sense of identity through the treatment of architectural features, forms, massing, scale, site layout, orientation, landscaping, lighting and signage.

Site Development and Buildings

Section 9.5.1 - Context addresses how developments demonstrate compatibility and integration with surrounding land uses and vegetation by ensuring that an effective transition in built form is provided between areas of different development densities and scale, and the protection of natural features.

Section 9.5.1.2 - Developments should be compatible and provide appropriate transition to existing and planned development by having regard for the following elements:

- a. Natural Areas System;
- b. natural hazards (flooding and erosion);
- c. natural and cultural heritage features;
- d. street and block patterns;
- e. the size and configuration of properties along a street, including lot frontages and areas;
- f. continuity and enhancement of streetscapes;
- g. the size and distribution of building mass and height;
- h. front, side and rear yards;
- i. the orientation of buildings, structures and landscapes on a property;
- j. views, sunlight and wind conditions;
- k. the local vernacular and architectural character as represented by the rhythm, textures and building materials;
- l. privacy and overlook; and
- m. the function and use of buildings, structures and landscapes.

Section 9.5.1.5 - Developments will provide a transition in building height and form between intensification Areas and adjacent Neighbourhoods with lower density and heights.

Section 9.5.1.9 - Development proposals will demonstrate compatibility and integration with surrounding land uses and the public realm by ensuring that adequate privacy, sunlight and sky views are maintained and that micro-climatic conditions are mitigated.

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Section 9.5.5.2 - Above grade parking structures should be screened in such a manner that vehicles are not visible from public view and have appropriate directional signage to the structure.

Retail

Section 10.4 - The primary locations for retail uses will be the Downtown, Major Nodes and Community Nodes. Retail uses within these locations will be encouraged to contribute to a vibrant, mixed use environment and be developed in combination with residential and office uses....

Within Neighbourhoods, further retail commercial will be directed to lands designated Mixed Use. Retail uses will be encouraged to develop in combination with residential and office uses.

Section 10.4.1 - Retail uses are encouraged to locate primarily within the Downtown, Major Nodes and Community Nodes.

Section 10.4.5 - Retail uses outside the Downtown, Major Nodes and Community Nodes will be directed to Corridors and Major Transit Station Areas or in locations as identified in Character Area policies or local area plans.

Section 10.4.6 - The dispersion of retail uses beyond designated commercial areas will be discouraged.

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Proposed Zoning Standards

	Base "RA5" Standard	Proposed "RA5-Exception" Standard
To permit townhouse and horizontal multiple dwellings	Not Permitted	Yes
Minimum Floor Space Index – Apartment Dwelling Zone	1.9	1.0
Maximum Floor Space Index – Apartment Dwelling Zone	2.9	2.0
Maximum Gross Floor Area	n/a	38 000 m ² (409,042 sq. ft.)
Minimum Landscaped Area	40% of lot area	30% of lot area
Minimum Landscaped Buffer – measured from Greenbelt Zone	4.5 m (14.8 ft.)	2.4 m (7.9 ft.)
Minimum Landscaped Buffer – measured from Commercial Zone	n/a	0.0 m (0 ft.)
The lands shall be deemed one lot for zoning purposes	n/a	Yes
The lot line abutting the private road shall be deemed the front lot line	n/a	Yes
Exception scheduled proposed	n/a	Yes

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	Base "C4" Standard	Proposed "C4 - Exception" Standard
To permit home furnishing store	Not Permitted	Yes
Minimum Height – Flat Roof	2 storeys	1 storey
Maximum Height – Flat Roof	12.5 m (41 ft.) and 3 storeys	15.6 m (51 ft.)
Minimum Landscaped Buffer – measured from Greenbelt Zone	4.5 m (14.8 ft.)	2.4 m (7.9 ft.)
Minimum Landscaped Buffer – measured from Employment Zone	3.0 m (9.8 ft.)	0.0 m (0 ft.)
Minimum Separation of Restaurant uses to a Residential Zone	60 m (197 ft.)	13 m (42.7 ft.)
Minimum Number of Loading Spaces		3 spaces
Required parking spaces per 100 m² (1,076.4 sq. ft.) Gross Floor Area-Non Residential	4.0 (Certain uses permitted in C4 Zone)	3.25
The lands shall be deemed one lot for zoning purposes	n/a	Yes
The lot line abutting the private road shall be deemed the front lot line	n/a	Yes
Exception scheduled proposed	n/a	Yes

