



Corporate Report

Clerk's Files

Originator's
Files OZ 11/012 W3

PDC APR 2 2013

DATE: March 18, 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: **Rezoning Application**
To permit ten (10) street townhouse dwellings and maintain the existing apartment building
1440 Bloor Street
Southeast corner of Bloor Street and Dixie Road
Owner: Tapes Investments
Applicant: Peter Favot Architect Ltd.
Bill 51

Supplementary Report **Ward 3**

RECOMMENDATION: That the Report dated March 18, 2013, from the Commissioner of Planning and Building recommending approval of the application under file OZ 11/012 W3, Tapes Investments, 1440 Bloor Street, southeast corner of Bloor Street and Dixie Road, be adopted in accordance with the following:

1. That the application to change the Zoning from "RA2-40" (Apartment Dwellings) to "RM5-Exception" (Street Townhouse Dwellings) and "RA2-Exception" (Apartment Dwellings) to permit ten (10) street townhouse dwellings fronting onto Tyneburn Crescent and maintain the existing apartment building in accordance with the proposed zoning

standards described in the Information Report, be approved subject to the following conditions:

- (a) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development;
- (b) 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 School Boards, not apply to the subject lands since both Boards are satisfied with the provision of educational facilities for the catchment area;
- (c) That Council Resolution 160-91, which requires that a minimum of three car spaces per dwelling, including those in a garage be required on-site and a minimum of 0.25 on-street visitor parking spaces per dwelling be required for dwellings on lots less than 12 m (39.4 ft.) of frontage for the subject development, not apply to the subject lands since there is a sufficient parking supply for the development;
- (d) That the following clauses be included within Schedule C of the Development Agreement to be registered on title:
 - i) "Prior to Site Plan approval for any building permit clearance, the owner shall include, and secure for, within the site plan for the proposed townhouses, improvements which meet or exceed those shown on the concept plan provided under file OZ 11/012 W3 regarding streetscape, landscaping, parking and playground modifications to the retained apartment lands known as 1440 Bloor Street to the satisfaction of the Planning and Building Department";

- ii) "Prior to Site Plan approval for any building permit clearance, the owner shall undertake and submit a Property Standards Building Audit to demonstrate compliance with the Property Standards By-law. A letter of compliance shall then be required to be issued by the City's Compliance and Licencing Enforcement Section, confirming that standards are met prior to site plan approval";
- (e) That Schedule "F" of the Development Agreement provide covenants on the part of the owner for the comprehensive provision and implementation of the required site improvements referred to in paragraph (d) above together with the development of any part of the lands including provisions which require as a condition to any severance of any part of the lands by way of a consent or exemption from part lot control that:
 - i) the transferee of the severed lands execute and register an agreement to be bound by the Development Agreement;
 - ii) notwithstanding the severance, the requirement for the joint filing and implementation of one comprehensive site plan application and site plan agreement for the entire lands which provide for the required site improvements together with the townhouse development; and
 - iii) the execution and registration of such further agreements the City may require to ensure the joint provision and implementation by the separate owners of the required site improvements in conjunction with the development of any part of lands.
- 2. 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.

3. That Council direct Legal Services, representatives from the appropriate City Departments and necessary consultants, to attend any Ontario Municipal Board proceedings which may take place in connection with the application and in support of the recommendations outlined in the report dated March 18, 2013.
4. That City Council provide the Planning and Building Department with the authority to instruct Legal Services staff on any modifications deemed necessary, where required, through the Ontario Municipal Board hearing process.

**REPORT
HIGHLIGHTS:**

- The owner has appealed the rezoning application to the Ontario Municipal Board for failure to make a decision within 120 days;
- The first phase of the East Bloor Corridor Review has been completed and is also scheduled for the April 2, 2013 Planning and Development Committee meeting;
- The proposed rezoning is in conformity with the Official Plan and the Planning and Building Department recommends that the application be approved subject to conditions;
- Outstanding issues of design, landscaping, and site improvements must be resolved prior to site plan approval;
- Staff are seeking direction from Council to attend any Ontario Municipal Board proceedings which may take place in connection with the application and in support of the recommendations outlined in this report.

BACKGROUND:

A public meeting was held by the Planning and Development Committee on September 4, 2012, at which time a Planning and Building Department Information Report (Appendix S-1) was presented and received for information.

At the public meeting, the Planning and Development Committee passed Recommendation PDC-0051-2012 which was subsequently adopted by Council and is attached as Appendix S-3.

On January 3, 2013, the owner appealed the application to the Ontario Municipal Board (OMB) due to failure by Council to make a decision within 120 days, pursuant to subsection 34(11) of the *Planning Act*.

COMMENTS:

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

COMMUNITY ISSUES

Further to the May 16, 2012 community meeting, the September 4, 2012 Public Meeting, a petition of objection to the proposal received by Council on January 18, 2012, and other written comments, the following is a summary of issues raised by the community:

Comment

There were concerns with the amount of traffic, on-street parking, and road safety in the area.

Response

The proposed development of ten street townhouse units is not expected to create a significant impact on the current traffic pattern in the area. On-street parking is currently permitted on Tyneburn Crescent for all residents, however, residents may petition Council to prohibit on-street parking if desired. With respect to safety, the proposed driveway locations have been reviewed and are satisfactory.

Comment

The significant traffic in the area during school drop-off and pick-up times, and as a result of Golden Orchard Drive and Fieldgate Drive not being open for through access.

Response

Traffic has been observed to filter through local roads in the neighbourhood, likely as a result of closing Golden Orchard Drive and Fieldgate Drive as a neighbourhood ring-road. The East Bloor Corridor Review recommends that a transportation analysis be undertaken to review and make recommendations concerning this matter.

Comment

The townhomes would change the nature of the residential area and their possible tenure could affect property values.

Response

The area currently has rental apartments located immediately across the street from semi-detached dwellings. The addition of freehold street townhouses will provide a logical and gradual transition from the existing high density residential to the existing semi-detached dwellings and then detached dwellings further south.

Comment

There was concern with the current condition of the apartment building and how it was maintained.

Response

The existing apartment building is required to meet building code and property standards requirements. The proposal seeks to improve the outdoor spaces of the retained apartment lands through landscaping, additional plantings, and play area improvements. The City will require that the existing building complies with the current property standards as a condition of development. Additional detail is provided in the Planning Comments section of this report.

Comment

There was a concern with the reduction in landscaped open space and the lack of playground space for children at the existing apartment building.

Response

The proposal would maintain the minimum landscaped area requirement on the retained apartment lands. The By-law requires a minimum of 40% of an apartment zone to be landscaped. With the proposed townhomes, the apartment lands would provide a landscaped area of 45.4%, exceeding this requirement. The playground is to be upgraded through the site plan application associated with this development.

Comment

There was a question regarding the provision of an open park space for area residents.

Response

Burnhamthorpe Park (P-053) is located approximately 500 m (1,640 ft.) from the subject property and includes a play area, a senior soccer field, a multi pad with a basketball hoop and two tennis courts. The Community Services Department have not identified any additional park requirements in this area.

Comment

The subject lands may be contaminated with fuel from the area gas stations.

Response

A Phase 1 Environmental Site Assessment report, dated September 2012 by Pinchin Environmental, was prepared to assess any potential contamination on the property. The study recommended

that a more detailed review be undertaken based upon the two gas stations located in close proximity of the site. As a result, a Phase 2 Environmental Assessment report was prepared and 4 boreholes were drilled to test the soil, one of which was completed as a groundwater monitoring well. The worst case samples were analysed and satisfy Ministry of Environment standards, and therefore, no further subsurface investigation is required.

Comment

The proposed townhomes will be located too close to the rear of 3361 and 3351 Dixie Road at 0.9 m (3 ft.) and a request of a minimum of 6.0 m (20 ft.) was received.

Response

The setback to this adjacent property limit is proposed to be 3 m (9.8 ft.) not 3 feet, which is double the 1.5 m (4.9 ft.) standard side yard setback requirement.

UPDATED AGENCY AND CITY DEPARTMENT COMMENTS

Transportation and Works Department

Comments updated February 14, 2013, state that in previous comments the Transportation and Works department confirmed receipt of updated Grading Plan, and Phase 1 and 2 Environmental Site Assessment reports submitted in response to previous comments and matters raised at the Public Meeting held on September 4, 2012. The materials provided did not address all of the concerns identified in the previous comments.

The applicant was requested to provide updated plans, including Grading Plan and Concept Plan, an updated Functional Servicing Report, an updated Parking Plan and a detailed servicing plan in support of the development; however, the updated materials still remain outstanding.

To address environmental concerns raised at the Public Meeting, a Phase 2 Environmental Site Assessment, dated September 28, 2012 by Pinchin Environmental, was received. The report indicated that the subject site met the appropriate Ministry of Environment (MOE) standards and the possibility of contaminants migrating to the site is very low, and, therefore, no further investigation is necessary. The applicant has been requested to submit a letter of reliance to further validate the supporting reports.

School Accommodation

In comments, dated January 29, 2013 and January 30, 2013, the Peel District School Board and the Dufferin-Peel Catholic District School Board 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 this development application.

PLANNING COMMENTS

Official Plan

Mississauga Official Plan (2012) 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 Ontario Municipal Board issued a Notice of Decision approving Mississauga Official Plan, as modified, save and except for certain appeals which have no effect on the subject application.

The proposal does not require an amendment to the Mississauga Official Plan policies.

The subject site is designated "**Residential High Density**" and, as per Section 16.1.25, development in addition to existing buildings on Residential High Density lands will be restricted to uses

permitted in the Residential Medium Density designation, which includes townhouses and all forms of horizontal multiple dwellings, provided the site in its entirety meets current site plan, landscaping, and building code requirements.

The subject property and those properties on the north side of Tyneburn Crescent are currently designated and developed for apartment buildings (8 storeys on subject lands, 6 storeys on adjacent lands). The proposal for a maximum of ten street townhouse dwellings fronting onto Tyneburn Crescent will provide an appropriate finished street edge, buffer, and transition in height and dwelling form between the existing rental apartments on the north side of Tyneburn Crescent and the semi-detached dwellings on the south side of Tyneburn Crescent. The proposal meets the intent of the Official Plan (see Mississauga Official Plan Policies in Appendix S-2) by respecting the existing and planned character of the neighbourhood, screening unattractive views of the parking lot for the apartment site, and providing natural surveillance and active building frontages facing the public street.

Infilling of Existing Apartment Sites

The East Bloor Corridor Review recognizes the need to revitalize existing apartment buildings along this section of Bloor Street, and suggests a number of options that the City may pursue to achieve this reinvestment.

Currently, Section 16.1.2.5 of the Official Plan requires that as a condition of infill development on an apartment site, the site in its entirety must meet current site plan and landscape requirements, and the existing building must meet current property standards.

Site improvements and landscaping will be provided for the existing apartment lands and Bloor Street frontage through the site plan application associated with this infill development.

In order to ensure that the building meets current property standards and complies with the policy, it is recommended that a Property Standards Building Audit be submitted to demonstrate

compliance with the Property Standards By-law. The audit would address a range of issues related to the condition and maintenance of the premises including, but not limited to, graffiti removal, structural soundness, lighting, heating, plumbing, mechanical systems and elevating devices. A letter of compliance would subsequently be issued by Compliance and Licencing Enforcement, confirming that standards are met prior to site plan approval.

These requirements will be secured through the Development Agreement associated with this application. The Agreement will also require that as a condition of any severance, by way of consent or exemption from part lot control, that any new owners execute and register an agreement to be bound by the Development Agreement, and that a joint comprehensive site plan application be required for the entire lands in order to ensure the required site improvements are implemented.

Zoning

The proposed "RM5-Exception" (Street Townhouse Dwellings) and "RA2-Exception" (Apartment Dwellings) zones are appropriate to accommodate ten (10) street townhouse dwellings fronting onto Tyneburn Crescent and maintain the existing apartment building for the reasons discussed above.

Council Resolution 160-91

Council resolution 160-91 states that a minimum of three on-site parking spaces are required per dwelling unit and a minimum of 0.25 on-street visitor parking spaces per dwelling are required for dwellings on lots less than 12 m (39.4 ft.) in frontage. The applicant has submitted a parking plan showing two on-site parking spaces per dwelling (one within the driveway, and one within the garage), and five on-street visitor parking spaces. Given the proposal is for a maximum of ten street townhouse units, the amount of on-street visitor spaces that the applicant are providing equates to a rate of 0.5 spaces per unit, or double the 0.25 on-street requirement. As a result of the above, and since the general

Zoning By-law parking requirement is 2 spaces per unit, it is concluded that there is a sufficient parking supply for the proposed development and it is recommended that Council Resolution 160-91 not apply.

Site Plan

The applicant has not yet submitted an application for site plan approval, and has advised the elevations provided are conceptual only. Staff have expressed urban design concerns with the building elevations that were submitted, which are not acceptable for approval and should be reconsidered. Any site plan application would be subject to the Low Rise Multiple Dwelling Guidelines and the East Bloor Corridor Review recommendations which state that exterior design for infill proposals have well articulated architectural expression that is compatible with the character and style of buildings in the general vicinity.

Staff had requested that a site plan application be submitted prior to the Supplementary Report to assist in the review of the application and inform the detailed standard requirements, however, a site plan cannot be mandated in advance of rezoning.

Prior to By-law enactment a Development Agreement will need to be executed between the City and the owner. One requirement will be that the site plan provide for improvements which meet or exceed those shown on the applicant's concept plan regarding streetscape, landscaping, parking and playground modifications to the retained apartment lands, to the satisfaction of the Planning and Building Department. This requirement will also be bound to any potential purchaser as a condition of any consent to sever the lands or exemption from part lot control, in order to ensure a joint site plan application for the entire lands and implementation of the necessary site improvements.

FINANCIAL IMPACT:

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

CONCLUSION:

The proposed rezoning is acceptable from a planning standpoint and should be approved for the following reasons:

1. The proposal for ten (10) street townhouse dwellings fronting Tyneburn Crescent and maintaining the existing apartment building with additional site improvements is compatible with the surrounding land uses as it provides for a completion of the street and a transition in scale and form from existing apartments to existing low rise dwellings.
2. The proposal meets the policies and objectives of the Official Plan and phase one of the East Bloor Corridor Review.
3. The proposed "RM5-Exception" (Street Townhouse Dwellings) and "RA2-Exception" (Apartment Dwellings) zoning standards are appropriate to accommodate the requested uses.

ATTACHMENTS:

Appendix S-1: Information Report

Appendix S-2: Mississauga Official Plan Policies

Appendix S-3: Recommendation PDC-0051-2012

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: Jonathan Famme, Development Planner



Corporate Report

PDC SEP 04 2012

Clerk's Files

Originator's
Files OZ 11/012 W3

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: **Information Report**
Rezoning Application
To permit ten (10) street townhouse dwellings and
maintain the existing apartment building
1440 Bloor Street
Southeast corner of Bloor Street and Dixie Road
Owner: Tapes Investments
Applicant: Peter Favot Architect Ltd.
Bill 51

Public Meeting **Ward 3**

RECOMMENDATION: That the Report dated August 14, 2012, from the Commissioner of Planning and Building regarding the application to change the Zoning from "RA2-40" (Apartment Dwellings) to "RM5-Exception" (Street Townhouse Dwellings) and "RA2-Exception" (Apartment Dwellings), to permit ten (10) street townhouse dwellings fronting onto Tyneburn Crescent and maintain the existing apartment building under file OZ 11/012 W3, Tapes Investments, 1440 Bloor Street, southeast corner of Bloor Street and Dixie Road, be received for information.

**REPORT
HIGHLIGHTS:**

- A rezoning application has been made to permit ten (10) street townhouse dwellings fronting onto Tyneburn Crescent in addition to maintaining an existing eight (8) storey apartment building on-site;
- Community concerns relate to increased traffic, safety concerns, loss of landscaped space, creating precedent for other

- apartment sites, and potential contamination;
- Prior to the Supplementary Report, matters to be addressed include the appropriateness of the proposed zoning by-law amendment, provision of additional details on grading, parking, servicing, and the Phase 1 Environmental Site Assessment, and review for conformance with the recommendations of the Dixie/Bloor Corridor Review.

BACKGROUND:

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

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

The applicant intends to sever the proposed street townhouse lands from the existing apartment lands (to be retained) through the Committee of Adjustment, thus creating two (2) separate parcels, and then create the ten (10) separate freehold townhouse lots.

Ward 3 Councillor, Chris Fonseca has requested that a review be undertaken of the Dixie/Bloor Corridor. The Planning and Building Department is initiating this review to consider land use, built form, and social infrastructure, as well as physical improvements along Bloor Street from the west side of Dixie Road to the City of Toronto boundary to the east. (See page 7 for additional detail).

COMMENTS:

Details of the proposal are as follows:

Development Proposal	
Application submitted:	August 30, 2011 (Received) September 27, 2011 (Deemed Complete)
Gross Floor Area:	Proposed street townhouses: 220 m ² (2,368 sq. ft.) per unit x 10 units (1.15 times the individual lot areas) Existing apartment building: 8 668.6 m ² (93,308 sq. ft.)

Development Proposal	
	Total Gross Floor Area: 10 868.5 m ² (116,988 sq. ft.)
Height:	Proposed street townhouses – 3 storeys Existing apartment building – 8 storeys
Floor Space Index:	Entire Site (existing): 0.72 Retained apartment lands: 0.94 Existing apartment building plus proposed street townhouses: 0.96
Landscaped Area:	Proposed street townhouse lots: 46% per unit Retained apartment lands: 45.4%
Net Density:	Proposed severed street townhouse lands: 48.5 units/ha (19.6 units/ac.) Retained apartment lands: 100 units/ha (40 units/ac.) Total site area: 91 units/ha (37 units/ac.)
Number of units:	Proposed street townhouses – 10 Existing apartment building – 93
Anticipated Population:	30* - Proposed street townhouses *Average household sizes for all units (by type) for the year 2011 (city average) based on the 2008 Growth Forecasts for the City of Mississauga.
Parking Required:	Proposed street townhouses: 2 spaces/unit = 20 spaces (Council Resolution 160-91 requires 3 spaces per unit and 0.25 spaces per unit on-street)
Parking Provided:	Proposed street townhouses: 2 spaces/unit = 20 spaces Existing apartment building: Underground parking 42 spaces Surface parking <u>108 spaces</u> Total 150 spaces
Supporting	Functional Servicing Report

Development Proposal	
Documents:	Noise Study Planning Justification Tree Inventory Grading Plan Concept Plan and Elevations Survey

Site Characteristics	
Frontages:	118.0 m (387.0 ft.) on Bloor Street 87.7 m (287.7 ft.) on Tyneburn Crescent
Depth:	Entire site: 107.94 m (354.1 ft.) Severed portion: 24.5 m (80.4 ft.)
Lot Area:	Entire site: 1.132 ha (2.80 ac.) Proposed severed street townhouse lands: 0.206 ha (0.51 ac.) Retained apartment lands: 0.926 ha (2.29 ac.) Individual street townhouse lots: 191.1 m ² (2,057 sq. ft.)
Existing Use:	8 storey apartment building

Green Development Initiatives

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

- extensive planting of additional trees on the retained apartment lands;
- permeable paving to be considered for new parking area on retained apartment lands south of Bloor Street.

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

Neighbourhood Context

The subject property is located in an area of predominantly high density residential apartments along Bloor Street, with some commercial uses at the intersection with Dixie Road, while detached and semi-detached dwellings are located to the south. The property is currently occupied by an eight (8) storey rental apartment building. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are as follows:

North: Gas station, commercial plaza, seven (7) storey and six (6) storey apartment buildings across Bloor Street;
East: Three six (6) storey apartment buildings;
South: Semi-detached dwellings, and detached dwellings across Tyneburn Crescent;
West: Gas station, and 26 storey apartment building across Dixie Road;

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

"Residential High Density I" which permits apartment dwellings at a Floor Space Index (FSI) of 0.5 - 1.2.

Section 4.3.4.2 - Intensification of Existing Apartment Sites

Proposals for additional development on lands with existing apartment buildings will be subject to the following, in addition to other policies regarding medium and high density residential development in this Plan:

- a.** on lands designated Residential High Density I or II, other than those located within the Node, development in addition to existing buildings will be restricted to the uses permitted in the Residential Medium Density I designation, up to the maximum density specified for the Residential High Density designation;

- b.** as a condition of development, the site in its entirety must meet current site plan and landscaping requirements, and existing buildings must meet current building code, fire code and property standards.

The "Residential Medium Density I" designation permits townhouse dwellings.

The application is in conformity with the land use designation and no official plan amendment is proposed.

Other policies in the Official Plan which also are applicable in the review of this application are summarized in Appendix I-9.

Mississauga Official Plan (2011)

Mississauga Official Plan (2011) was adopted by City Council on September 29, 2010 and partially approved by the Region on September 22, 2011. Mississauga Official Plan (2011) has been appealed in its entirety and, as such, the existing Mississauga Plan (2003) remains in effect. The applications were originally submitted under Mississauga Plan (2003), which is the current plan in effect, but regard should be given to the new Mississauga Official Plan (2011). Under the new Mississauga Official Plan, the subject lands are designated "**Residential High Density**". The proposed ten (10) street townhouse dwellings conform to the land use designation contained in the new Mississauga Official Plan and associated policies.

Existing Zoning

"**RA2-40**" (**Apartment Dwellings**), which permits apartment dwellings, long-term care dwellings, and retirement dwellings with a Floor Space Index (FSI) of 0.5 - 0.8.

Proposed Zoning By-law Amendment

"**RM5-Exception**" (**Street Townhouse Dwellings**), to permit ten (10) street townhouse dwellings with minimum lot frontages of 7.8 m (25.6 ft.) and minimum lot areas of 191 m² (2,056 sq. ft.).

"RA2-Exception" (Apartment Dwellings), to permit the existing apartment dwelling on the retained lands with a maximum Floor Space Index (FSI) of 0.94, as a result of the reduced lot area.

The proposed draft zoning standards can be found in Appendix I-10.

Dixie/Bloor Corridor Review

In consultation with Ward 3 Councillor Chris Fonseca, the Planning and Building Department is undertaking a review of the redevelopment and infill development opportunities along Bloor Street from Dixie Road easterly to the City of Toronto boundary. The objectives of the Dixie/Bloor Corridor Review include:

- to identify potential issues with infilling, assess the existing policy framework that addresses these issues, and determine whether changes to the land use policy framework are necessary;
- to assess the existing built form and prepare a built form policy framework to guide the review of infill development applications;
- to review and identify potential improvements to the public realm including the streetscape;
- to investigate policies and/or tools that encourage property developers to undertake physical improvements to existing apartment buildings; and
- initiatives that can help ensure a strong neighbourhood which thrives on its social and cultural diversity (i.e. health of the social infrastructure).

While the subject application can be evaluated on its own merit, consideration for the objectives and recommendations of the Bloor Street Corridor Review is appropriate.

The current official plan provides some guidance for intensification of existing apartment sites provided that the site in its entirety meets current site plan and landscaping requirements. In the absence of the Corridor Review recommendations which

are intended to specifically identify what the site planning and public realm requirements would be, and a detailed site plan that includes improvements to the retained apartment lands, it has not been determined whether the existing policy framework has been sufficiently addressed. The Dixie/ Bloor Corridor Review will assist in informing this analysis.

The supplementary report for this matter will consider the application's merits and it's alignment with the Dixie/Bloor Corridor review's objectives.

COMMUNITY ISSUES

A community meeting was held by Ward 3 Councillor, Chris Fonseca, on May 16, 2012.

A petition of objection to the proposal was received by Council on January 18, 2012.

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

- The amount of traffic, on-street parking, and road safety on Tyneburn Crescent.
- The significant traffic in the area during school drop-off and pick-up times, and as a result of Golden Orchard Drive and Fieldgate Drive not being open for through access.
- The townhomes would change the nature of the residential area and their possible tenure could affect property values.
- The current condition of the apartment building and how it was maintained.
- The vehicular access to the proposed townhouses being provided from Tyneburn Crescent and a preference to have access from Bloor Street.

- The reduction in landscaped open space and the lack of playground space for children at the existing apartment building.
- The subject lands may be contaminated with fuel from the area gas stations.

Responses to the above comments will be provided in the Supplementary Report.

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:

- appropriateness of the proposed application;
- provision of revised plans that address certain grading concerns and technical discrepancies;
- update to the Functional Servicing Report and submission of a servicing plan;
- update to the Parking Plan;
- validation of the Phase 1 Environmental Site Assessment;
- review this proposal for conformance with the recommendations of the Dixie/Bloor Corridor Review.

OTHER INFORMATION

Development Requirements

In conjunction with the proposed development, there are certain other engineering and servicing matters including noise mitigation, stormwater management, and cash-in-lieu for parkland, which will require the applicant to enter into appropriate agreements with the City.

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

CONCLUSION: Most agency and City department comments have been received and after the public meeting has been held and all issues are resolved, the Planning and Building Department will be in a position to make a recommendation regarding this application.

ATTACHMENTS:

- Appendix I-1: Site History
- Appendix I-2: Aerial Photograph
- Appendix I-3: Excerpt of Applewood 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: 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: Jonathan Famme, Development Planner

Tapes Investments

File: OZ 11/012 W3

Site History

- 1967 – Existing apartment building constructed.
- April 14, 1992 – Site plan revision (SP 90/218) approved for two (2) apartment units created in unused portion of building and the addition of 18 parking spaces.
- May 5, 2003 – Applewood District Policies and Land Use Map (Mississauga Plan) were partially approved with modifications by the Region of Peel. The subject lands were designated "Residential High Density I.
- 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 "RA2-40" (Apartment Dwellings).



LEGEND:



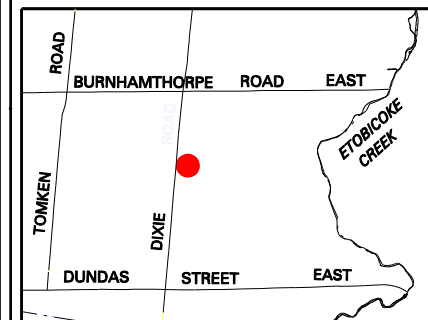
SUBJECT LANDS

NOTE: DATE OF AERIAL PHOTO IS APRIL 2012



SUBJECT:

TAPES INVESTMENTS



FILE NO:
OZ 11/012 W3

DWG. NO:
11012A

SCALE:
1:2500

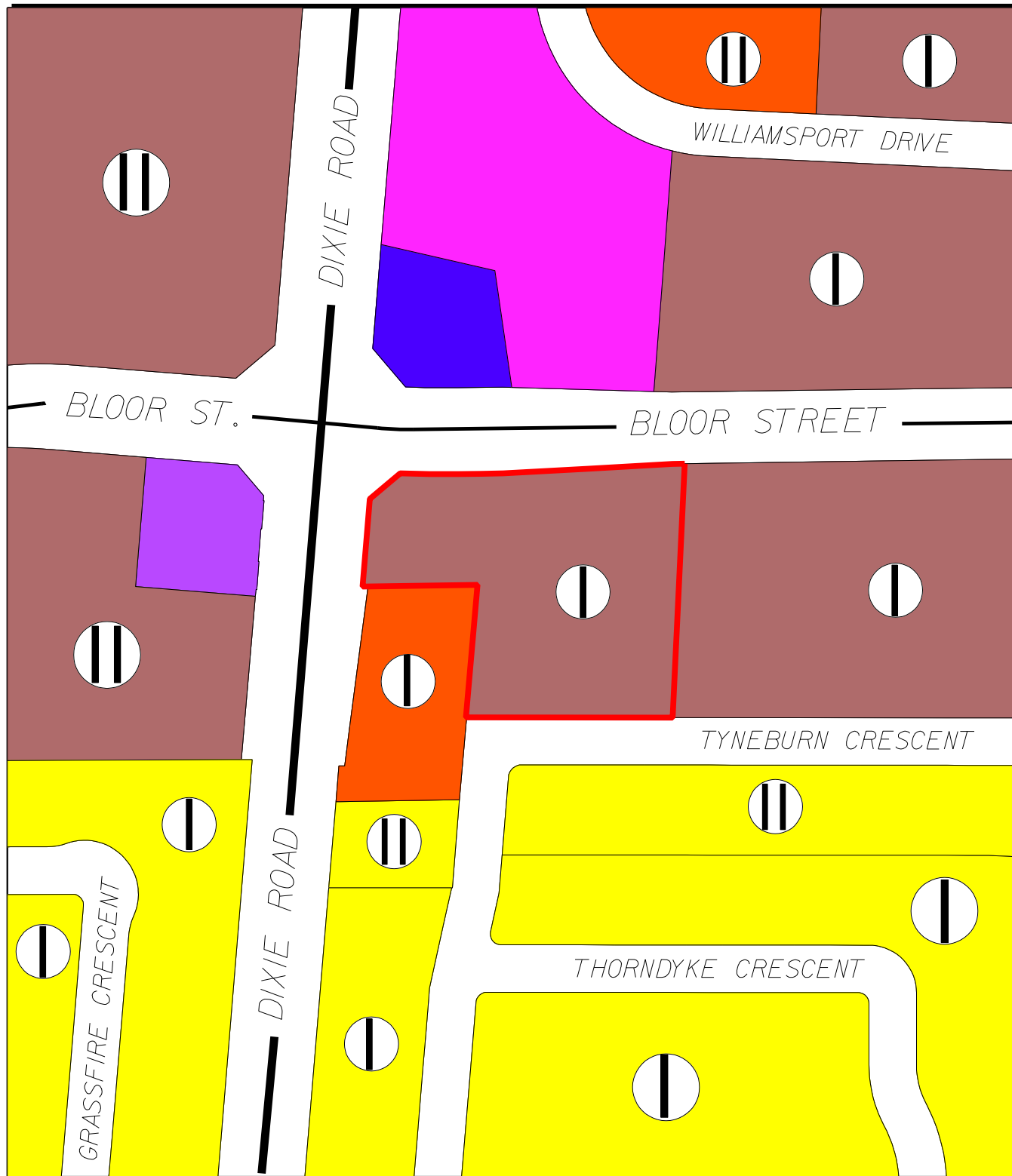
PDC DATE:
2012/09/04

DRAWN BY:
A.SHAH

APPENDIX 1-2

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics



**PART OF APPLEWOOD DISTRICT LAND USE MAP
APPLEWOOD DISTRICT POLICIES OF MISSISSAUGA PLAN**

LAND USE DESIGNATIONS

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

TRANSPORTATION LEGEND

- Arterial
- Major Collector
- Minor Collector
- Local Road
- Major Transit Corridor

LAND USE LEGEND

- Node Boundary
- Cem - Cemetery
- 1996 NEP/2000 NEF Composite Noise Contours
- Planning District

Amendment No. 95 Appealed to the Ontario Municipal Board.
Delete and replace with Higher Order Transit Corridor

Special Site Areas
(See Special Site Policies)

NOTE:
ANY PART OF THE ROAD NETWORK SHOWN OUTSIDE THE CITY BOUNDARIES IS SHOWN FOR INFORMATION PURPOSES ONLY.

Note:
The 1996 Noise Exposure Projection (NEP/2000 Noise Exposure Forecast (NEF) Composite Noise Contours are shown for information purposes only and are not part of the District Land Use Map. These contours will change from time to time as new information becomes available.
For accurate reference the composite NEP/NEF map produced by Transport Canada at a scale of 1:80 000 should be consulted.

Amendment No. 95 Appealed to the Ontario Municipal Board

SUBJECT LANDS



SUBJECT: TAPES INVESTMENTS

FILE NO:
OZ 11/012 W3

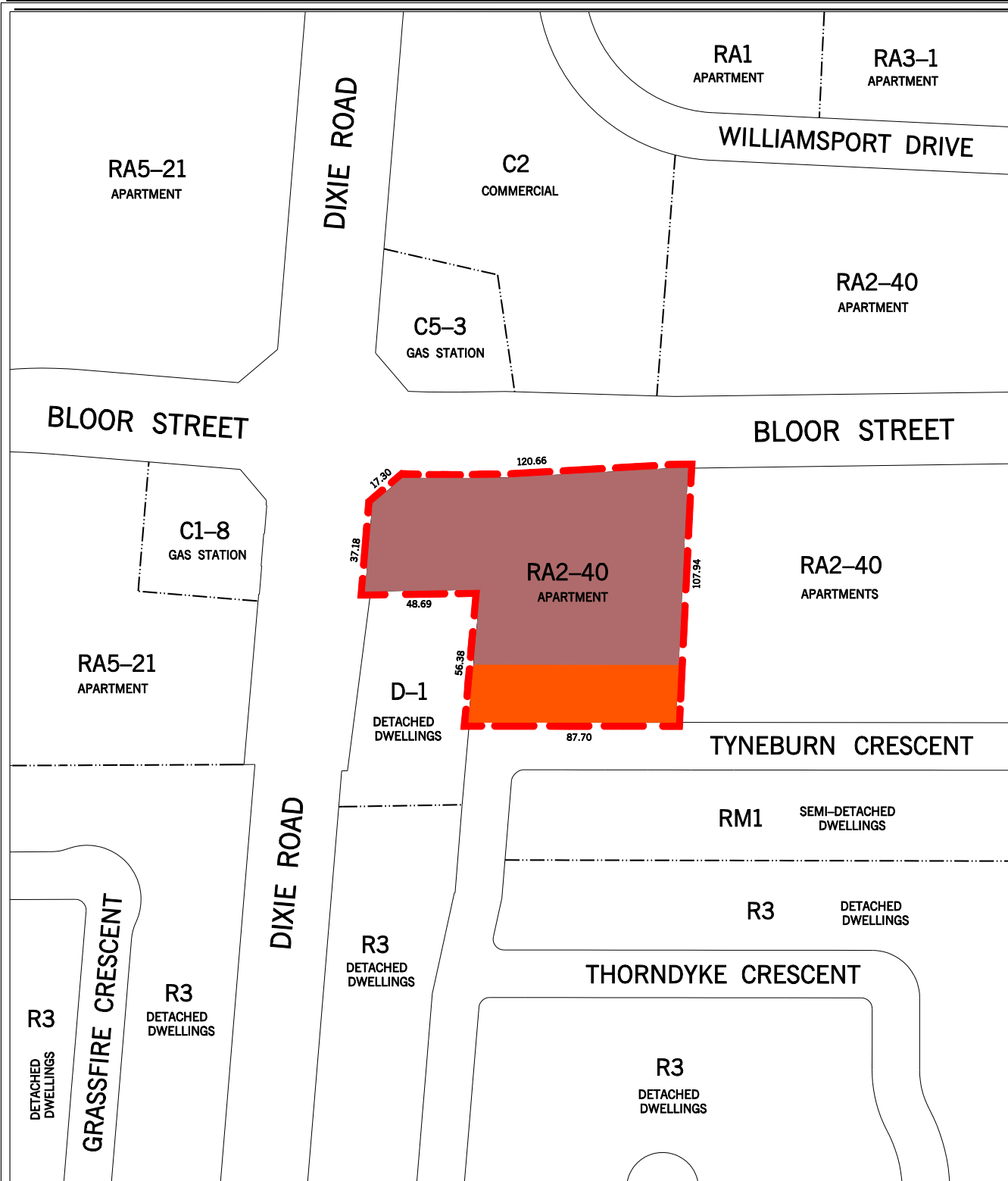
DWG. NO:
11012L

SCALE:
1:2500

PDC DATE:
2012/09/04

DRAWN BY:
A.SHAH

APPENDIX 1-3



LEGEND:



PROPOSED REZONING FROM "RA2-40" (APARTMENT DWELLINGS) TO "RM5-EXCEPTION" (STREET TOWNHOUSE DWELLINGS) TO PERMIT TEN (10) STREET TOWNHOUSE DWELLINGS.



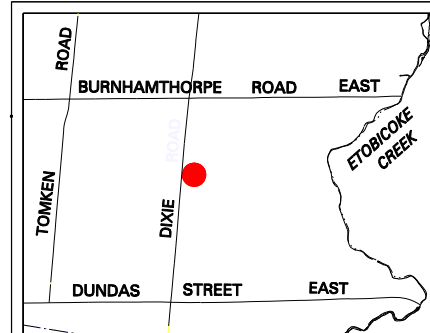
PROPOSED REZONING FROM "RA2-40" (APARTMENT DWELLINGS) TO "RA2-EXCEPTION" (APARTMENT DWELLINGS) TO MAINTAIN THE EXISTING APARTMENT BUILDING.

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



SUBJECT:

TAPES INVESTMENTS



**FILE NO:
OZ 11/012 W3**

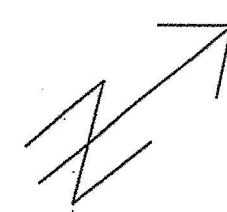
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11012R**

**SCALE:
1:2500**

**PDC DATE:
2012/09/04**

**DRAWN BY:
A.SHAH**

APPENDIX I-4



BLOOR STREET EAST

DIXIE ROAD

APARTMENT BUILDING

Limits of Underground Parking Garage

Town House Property Line

COURTYARDS

STREET TOWNHOUSES

TYNEBURN CRESCENT

Revised Drawings
Jan. 19, 2012

Proposed Densification Project
1440 Bloor Street East, Mississauga, Ontario
Tapes Investment c/o Berkley Property Management Inc.

Peter Favot Architect Ltd. Architects & Urban Planners
Toronto, Ontario (905) 305-0655

CONCEPT PLAN

APPENDIX I-5

PROPOSED CONCEPT PLAN RESIDENTIAL DENSIFICATION

Scale 1:400

1440 Bloor Street East Mississauga, Ontario
Tapes Investment c/o Berkley Property Management Inc.

Existing

Official Plan- High Density - 1
Zoning- RA-2 (Exception-40)
RA-2 Permitted FSI - 0.8 to 1.2
Exception-40- Max for Apartment Dwelling Zone= FSI- 0.8

Proposed

To sever part of land that fronts onto Tyneburn Crescent for a
Rezoning to RM5 (Street Townhouse Dwelling Zone)

Total number of Apartment units is unchanged - 93 units

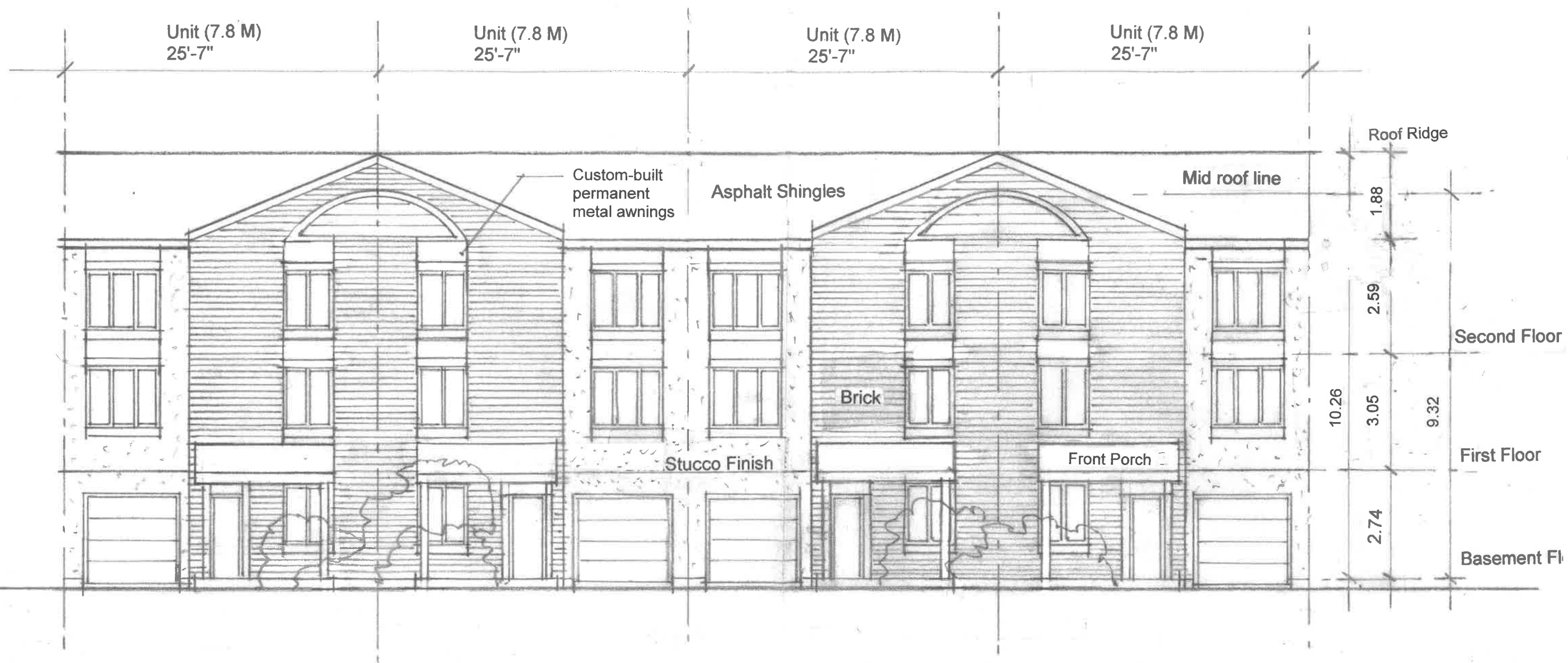
Existing Parking-	Underground Parking - 42 cars
	Surface Parking - <u>108 cars</u>
	Total Parking - 150 cars

Proposed Parking- No changes to 150 total, only a reconfiguration
of surface parking

Land Area- 121,840 sf (11319M2) 1.132 HA

Note: for additional data refer to separate data sheets





South Elevation of Street Townhousing
scale 1:

Proposed Densification Project
1440 Bloor Street East, Mississauga, Ontario
Tapes Investment c/o Berkley Property Management Inc.
Peter Favot Architect Ltd. Architects & Urban Planners
Toronto, Ontario (905) 305-0655 July 2011
Revised Drawings
Jan. 19, 2012



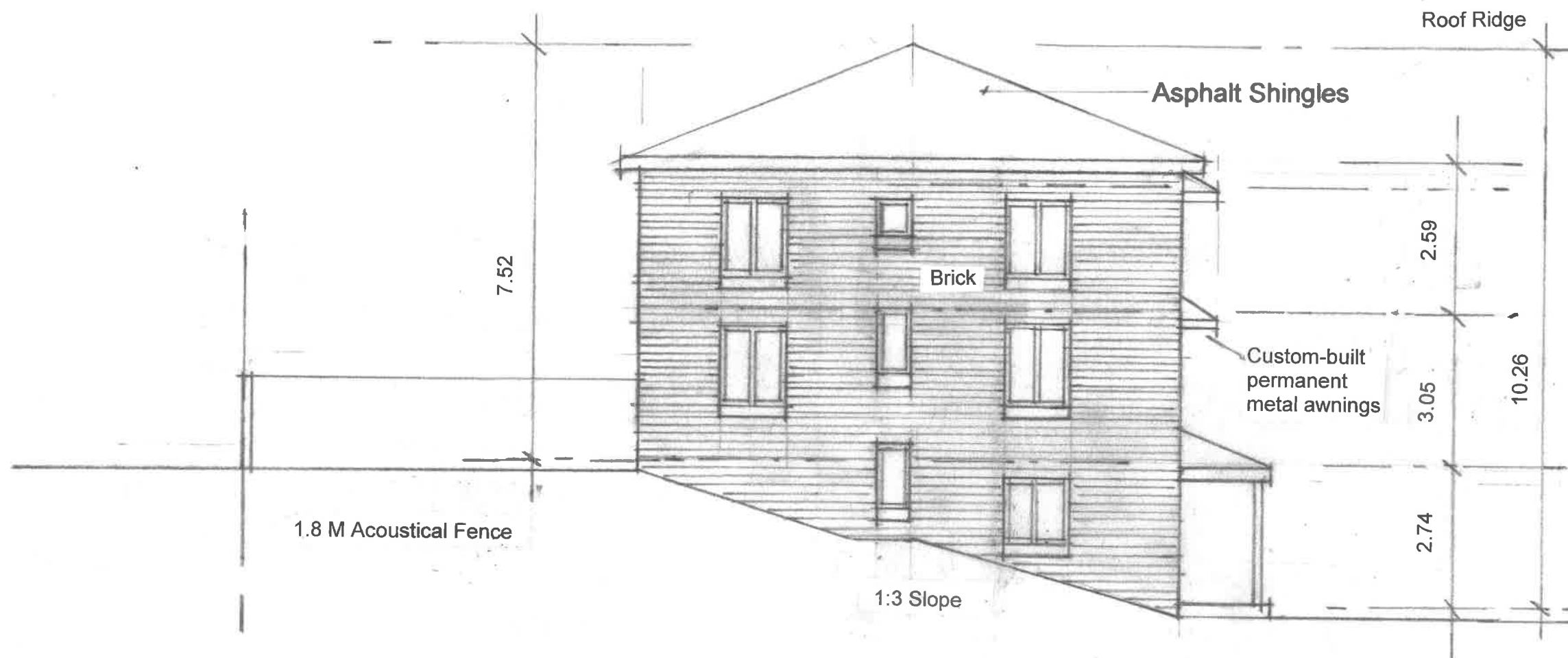


North Elevation of Street Townhousing
Scale 1:



Proposed Densification Project
1440 Bloor Street East, Mississauga, Ontario
Tapes Investment c/o Berkley Property Management Inc.
 Peter Favot Architect Ltd. Architects & Urban Planners
 Toronto, Ontario (905) 305-0655 July 2011

Revis Revised Drawings
 Jan. 19, 2012



East & West End Elevations of Street Townhousing
Scale 1:



Proposed Densification Project
1440 Bloor Street East, Mississauga, Ontario
Tapes Investment c/o Berkley Property Management Inc.
 Peter Favot Architect Ltd. Architects & Urban Planners
 Toronto, Ontario (905) 305-0655 July 2011

Revised Drawings
 Jan. 19, 2012

Tapes Investments**File: OZ 11/012 W3****Agency Comments**

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

Agency / Comment Date	Comment
<p>Region of Peel (January 3, 2012)</p>	<p>Regional Planning staff have reviewed the noted application and provide the following comments:</p> <p>There is a 150 mm (6") diameter watermain and a 250 mm (10") diameter sanitary sewer on Tyneburn Crescent.</p> <p>The Region of Peel has received Functional Servicing Reports (FSR) prepared by Johnson Sustronk Weinstein + Associates, dated August 2011. The copies of the FSRs were sent to the Water and Wastewater division for review. A satisfactory report will not be a condition of site approval.</p> <p>At site plan stage, site servicing drawings will be required and there is a First Submission Application fee of \$150 as per fee by-law 7-2011 (all connections must conform to Regional standards and specifications and design criteria). Site servicing approvals will be required prior to building permit.</p> <p>Curbside collection will be provided by the Region of Peel.</p> <p>Once the Draft Reference Plan has been submitted, the Region would like to be circulated for comment.</p>
<p>Dufferin-Peel Catholic District School Board and the Peel District School Board (October 25, 2011 and November 15, 2011)</p>	<p>In comments, dated October 25, 2011 and November 15, 2011, 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 educational facilities need not be applied for this development application.</p>

Tapes Investments

File: OZ 11/012 W3

Agency / Comment Date	Comment
	In addition, if approved, both School Boards require that a clause be placed in any agreement of purchase and sale of residential lots that sufficient accommodation may not be available for all anticipated students in the neighbourhood schools, and that some students may be accommodated in temporary facilities or bussed to schools outside of the area.
City Community Services Department - Planning, Development and Business Services Division/Park Planning Section (June 28, 2012)	<p>Burnhamdale Park (P-053) is located approximately 500 m (1,640 ft.) from the subject property and includes a play site, a senior soccer field, a multi pad with a basketball hoop and two tennis courts.</p> <p>In the event that the application is approved, prior to by-law enactment, a cash contribution for street tree 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."</p>
City Transportation and Works Department (June 27, 2012)	<p>The Transportation and Works Department confirmed receipt of Concept Plan, Grading Plan, Functional Servicing Report, Environmental Noise Assessment, Parking Plan, and Environmental Site Assessment Phase 1.</p> <p>Prior to the Supplementary Report proceeding, the applicant has been requested to provide revised plans that address certain grading concerns and technical discrepancies, to update the Functional Servicing Report and to submit a servicing plan that illustrates the underground works required in support of the development.</p>

Tapes Investments**File: OZ 11/012 W3**

Agency / Comment Date	Comment
	<p>The applicant has also been requested to update the Parking Plan to demonstrate sufficient parking within the development, and to validate the Environmental Site Assessment Phase 1, dated April 4, 2012.</p> <p>Further detailed comments/conditions will be provided prior to the Supplementary Meeting, pending receipt and review of the foregoing.</p>
Other City Departments and External Agencies	<p>The following City Departments and external agencies offered no objection to this application provided that all technical matters are addressed in a satisfactory manner:</p> <p>City Community Services Department - Fire and Emergency Services Division Bell Canada Canada Post Corporation Rogers Cable Enersource Hydro Mississauga</p>
	<p>The following City Department and external agencies were circulated the application but provided no comments:</p> <p>City of Mississauga Realty Services Conseil Scolaire de District Catholique Centre-Sud Conseil Scolaire de District Centre-Sud-Ouest</p>

Tapes Investments

File: OZ 11/012 W3

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"> 1 Kindergarten to Grade 5 1 Grade 6 to Grade 8 1 Grade 9 to Grade 12/OAC School Accommodation: <ul style="list-style-type: none"> Brian W. Fleming P.S. <ul style="list-style-type: none"> Enrolment: 702 Capacity:* 783 Portables: 2 Glenhaven Sr. <ul style="list-style-type: none"> Enrolment: 551 Capacity: 545 Portables: 1 Glenforest S.S. <ul style="list-style-type: none"> Enrolment: 1,404 Capacity: 1,023 Portables: 12 <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"> 1 Junior Kindergarten to Grade 8 1 Grade 9 to Grade 12/OAC School Accommodation: <ul style="list-style-type: none"> St. Alfred <ul style="list-style-type: none"> Enrolment: 453 Capacity: 426 Portables: 6 Philip Pocock <ul style="list-style-type: none"> Enrolment: 1,390 Capacity: 1,257 Portables: 5

Tapes Investments

File: OZ 11/012 W3

Official Plan Policies

3.2.3.1

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

3.2.3.2

High quality and innovative residential design will be promoted in a form which reinforces and enhances the local community character, respects its immediate context and creates a quality living environment. Innovative housing types and zoning standards will be encouraged. Design issues related to built form, scale, massing, orientation, parking, overshadowing, and the quantity and quality of open space will be priorities in assessing the merits of residential development. Broader urban design issues related to the creation of an urban street character, developing a sense of gateway into a community and highlighting district focal points will also be considered in assessing residential development.

3.13.5.2

Residential intensification outside intensification areas will generally occur through infilling.

3.13.5.3

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

3.13.6.17

Development proposals will demonstrate compatibility and integration with surrounding land uses by ensuring that an effective transition in built form is provided between areas of different development densities and scale. Transition in built form will act as a buffer between the proposed development and planned uses, and should be provided through appropriate height, massing, character, architectural design, siting, setbacks, parking, and public and private open space and amenity space.

3.13.6.20

Development should be located on public roads.

Tapes Investments

File: OZ 11/012 W3

3.18.2.6

Building, landscaping and site design will minimize the effects of noise, unattractive views, other negative impacts and will buffer adjacent land uses.

3.18.4.1

Areas of high and medium density residential buildings should manifest a broad range of building types and forms.

3.18.5.2

Buildings should address the street with main entrances facing the street, with strong pedestrian connections and landscape treatments that connect buildings to the street.

3.18.7.3

Building and site designs should create a sense of enclosure, pedestrian scale and identity. Enclosure means having built form along the street edge with heights appropriate to its context.

3.18.9.4

Building height and site design will create a gradual scale transition to adjacent buildings.

Tapes Investments

File: OZ 11/012 W3

Proposed Zoning Standards**Proposal for Ten (10) Street Townhouses fronting Tyneburn Crescent**

	RM5 Zone	Proposed RM5-Exceptions	RM1 Zone (existing Semi- Detached Dwelling zone south side of Tyneburn Crescent)
Permitted Use	Street Townhouse Dwellings		Semi-Detached Dwellings and Detached Dwellings
Min. Lot Area (Interior)	200 m ² (2,153 sq. ft.)	<i>191 m² (2,056 sq. ft.)</i>	340 m ² (3,660 sq. ft.)
Min. Lot Frontage (Interior)	6.8 m (22.3 ft.)	<i>7.8 m (25.6 ft.)</i>	9 m (29.5 ft.)
Min. Front Yard	4.5 m (14.8 ft.)	<i>6.3 m (21.3 ft.)</i>	6.0 m (19.7 ft.)
Min. setback to Garage Face	6.0 m (19.7 ft.)	<i>6.5 m (21.3 ft.)</i>	6.0 m (19.7 ft.)
Min. Interior Side Yard	0.0 m (0.0 ft.) on attached side and 1.5 m (4.9 ft.) on unattached side		0.0 m (0.0 ft.) on attached side and 1.8 m (5.9 ft.) on unattached side
Min. Rear Yard	7.5 m (24.6 ft.)		7.5 m (24.6 ft.)
Max. Height	10.7 m (35.1 ft.)		10.7 m (35.1 ft.)
Min. Landscaped Area	25% of the lot area		25% of the lot area
Max. Gross Floor Area	0.75 times the lot area	<i>1.15 times the lot area</i>	n/a

Proposed Retained Apartment lands – with existing 8 storey apartment building

	Existing RA2-40 Zone	Proposed RA2-Exceptions	RA2 Base Zone
Minimum Floor Space Index	0.5	<i>0.5</i>	0.5
Maximum Floor Space Index	0.8	<i>0.94</i>	1.0

APPENDIX I-11



Tapes Investments

File: OZ 11/012 W3

Mississauga Official Plan Policies

16.1.2.5

Proposals for additional development on lands with existing apartment buildings will be subject to the following, in addition to other policies regarding medium and high density residential development in this Plan:

- a. on lands designated Residential High Density, development in addition to existing buildings will be restricted to uses permitted in the Residential Medium Density designation; and
- b. as a condition of development, the site in its entirety must meet current site plan and landscaping requirements, and existing buildings must meet current building code, fire code and property standards.

16.2.2.1

For Medium and High Density Development, new development should not exceed the height of any existing buildings on the property, and should be further limited in height so as to form a gradual transition in massing when located adjacent to low density residential development. Buildings immediately adjacent to low density housing forms should be limited to three storeys. In situations where the low density housing forms are separated from the high density development by a public road, park, utility corridor or other permanent open space feature, four to five storeys may be compatible.

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.

5.3.5.6

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

9.1.3

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

Tapes Investments

File: OZ 11/012 W3

Non-Intensification Areas

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.

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 practices;
- 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.

9.3.1.11

Reverse frontage lots will not be permitted, except for infill development where a street pattern has already been established.

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;

Tapes Investments

File: OZ 11/012 W3

- 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.

9.5.1.3

Site designs and buildings will create a sense of enclosure along the street edge with heights appropriate to the surrounding context.

9.5.4.1

Development proposals should enhance public streets and the open space system by creating a desirable street edge condition.

9.5.4.2

An attractive and comfortable public realm will be created through the use of landscaping, the screening of unattractive views, protection from the elements, as well as the buffering of parking, loading and storage areas.

9.5.6.1

Site layout, buildings and landscaping will be designed to promote natural surveillance and personal safety.

9.5.6.2

Active building frontages should be designed to face public spaces including entries and windows to ensure natural surveillance opportunities.

Tapes Investments

File: OZ 11/012 W3

Recommendation PDC-0051-2012

PDC-0051-2012

- "1. That the Report dated August 14, 2012, from the Commissioner of Planning and Building regarding the application to change the Zoning from "RA2-40" (Apartment Dwellings) to "RM5-Exception" (Street Townhouse Dwellings) and "RA2-Exception" (Apartment Dwellings) to permit ten (10) street townhouse dwellings fronting onto Tyneburn Crescent and maintain the existing apartment building under file OZ 11/012 W3, Tapes Investment, 1440 Bloor Street, southeast corner of Bloor Street and Dixie Road, be received for information.
2. That the following correspondences expressing concerns with respect to file OZ 11/12 W3 be received:
 - a. Email and attachment dated August 20, 2012 from Jugal Ghosh
 - b. Email dated August 31, 2012 from Robert and Margaret Eagleson
 - c. Email dated September 1, 2012 from Liem Tran
 - d. Email and attachment dated September 4, 2012 from Jugal Ghosh
 - e. Email dated September 4, 2012 from Teresa Barranca."