

Agenda

Planning and Development Committee

Date

2016/02/22

Time

7:00 PM

Location

Civic Centre, Council Chamber,
300 City Centre Drive, Mississauga, Ontario, L5B 3C1 Ontario

Members

Councillor George Carlson	Ward 11 (Chair)
Mayor Bonnie Crombie	
Councillor Jim Tovey	Ward 1
Councillor Karen Ras	Ward 2
Councillor Chris Fonseca	Ward 3
Councillor John Kovac	Ward 4
Councillor Carolyn Parrish	Ward 5
Councillor Ron Starr	Ward 6
Councillor Nando Iannicca	Ward 7
Councillor Matt Mahoney	Ward 8
Councillor Pat Saito	Ward 9
Councillor Sue McFadden	Ward 10

Contact

Mumtaz Alikhan, Legislative Coordinator, Legislative Services
905-615-3200 ext. 5425
mumtaz.alikhan@mississauga.ca

Find it Online

<http://www.mississauga.ca/portal/cityhall/planninganddevelopment>

PUBLIC MEETING STATEMENT: In accordance with the *Ontario Planning Act*, if you do not make a verbal submission to the Committee or Council, or make a written submission prior to City Council making a decision on the proposal, you will not be entitled to appeal the decision of the City of Mississauga to the Ontario Municipal Board (OMB), and may not be added as a party to the hearing of an appeal before the OMB.

Send written submissions or request notification of future meetings to:

Mississauga City Council, c/o Planning and Building Department – 6th Floor

Att: Development Assistant

300 City Centre Drive, Mississauga, ON, L5B 3C1

Or Email: application.info@mississauga.ca

1. CALL TO ORDER
2. DECLARATION OF CONFLICT OF INTEREST
3. MINUTES OF PREVIOUS MEETING - February 1, 2016
4. MATTERS TO BE CONSIDERED
 - 4.1. Sign Variance Application - Sign By-law 0054-2002, as amended (Ward 8) (Page 3)
 - 4.2. PUBLIC MEETING INFORMATION REPORT (Page 14)
Proposal to revise the zoning to restrict the height of sloped roof houses and eaves and add a maximum house depth regulation for residential properties in parts of Ward 1 not subject to infill housing regulations; to limit the height of flat roof homes for certain residential zones in Ward 1 along Hurontario Street not included in By-law 01271-2015 passed by Council June 2015
Applicant: City of Mississauga - File: CD.06.REP
 - 4.3. RECOMMENDATION REPORT (Page 22)
Application to permit a private elementary school, 935 Eglinton Avenue West, North side of Eglinton Avenue West, West of Terry Fox Way
Applicant: Masjid-e Farooq-e Azam Mississauga & Makkah Holdings Inc.
File: OZ 09/009 W6
 - 4.4. RECOMMENDATION REPORT (Page 57)
Applications to permit two new condominium apartment buildings of 12 and 15 storeys in addition to the two existing rental apartment buildings, 1850 Rathburn Road East and 4100 Ponytrail Drive
Owner: Forest Park Circle Ltd. - File: OZ 12/009 W3
5. DEPUTATION
 - 5.1. 2015 – a Year in Review by Ed Sajecki, Commissioner, Planning and Building
6. ADJOURNMENT

City of Mississauga

Corporate Report



Date: 2016/02/01

To: Chair and Members of Planning and Development Committee

From: Ezio Savini, P. Eng., Director, Building Division

Originator's files:
BL.03-SIG (2016)

Meeting date:
2016/02/22

Subject

Sign By-law 0054-2002, as amended
Sign Variance Application

Recommendation That the following Sign Variances **not be granted**:

- (a) Sign Variance Application 15-07483
Ward 8
The Archways
1775 Thornybrae Place

To permit the following:

- (i) One billboard sign erected on a property zoned residential.
- (ii) One (1) billboard sign erected within 92m of a residential zoned property.
- (iii) One (1) billboard sign setback 3.0m from the property line.
- (iv) One (1) billboard sign having a sign face area of 35.67 sq. m.

Background

The proposed sign advertises a residential development located approximately 180m south of the proposed sign location. Planning and Building Department staff have reviewed the proposal and cannot support the proposed variance. As outlined in Sign By-law 54-2002, the applicant has requested the variance decision be appealed to Planning and Development Committee.

Comments

The proposed sign advertises a development that is not located on this property and is therefore defined as a billboard sign as per the definitions contained in Sign By-law 54-2002 as amended. This sign variance cannot be supported as the proposed sign faces residential zoned lands located approximately 62m whereas the Sign By-law requires 92m. A billboard sign in this

location would set an undesirable precedent for billboards adjacent to residential zones. The area of the sign face is also excessive (35.7m² vs 20m² permitted) and does not comply with the required setback from the property line 3m vs 7.5m permitted).

Sign By-law 54-2002 does permit the construction of a site development sign on the property of construction measuring 60m², a maximum height of 7.5m, setback no closer than 7.5m from the property line.

Financial Impact

Not applicable

Conclusion

A billboard sign in this location would set an undesirable precedent for billboards adjacent to residential zones and along city roadways.

Attachments

Appendix 1: Documentation



Ezio Savini, Director, Building Division

Prepared by: Darren Bryan, Manager, Sign Unit



SIGN VARIANCE APPLICATION REPORT
Planning and Building Department

February 2, 2016

FILE: 15-07483

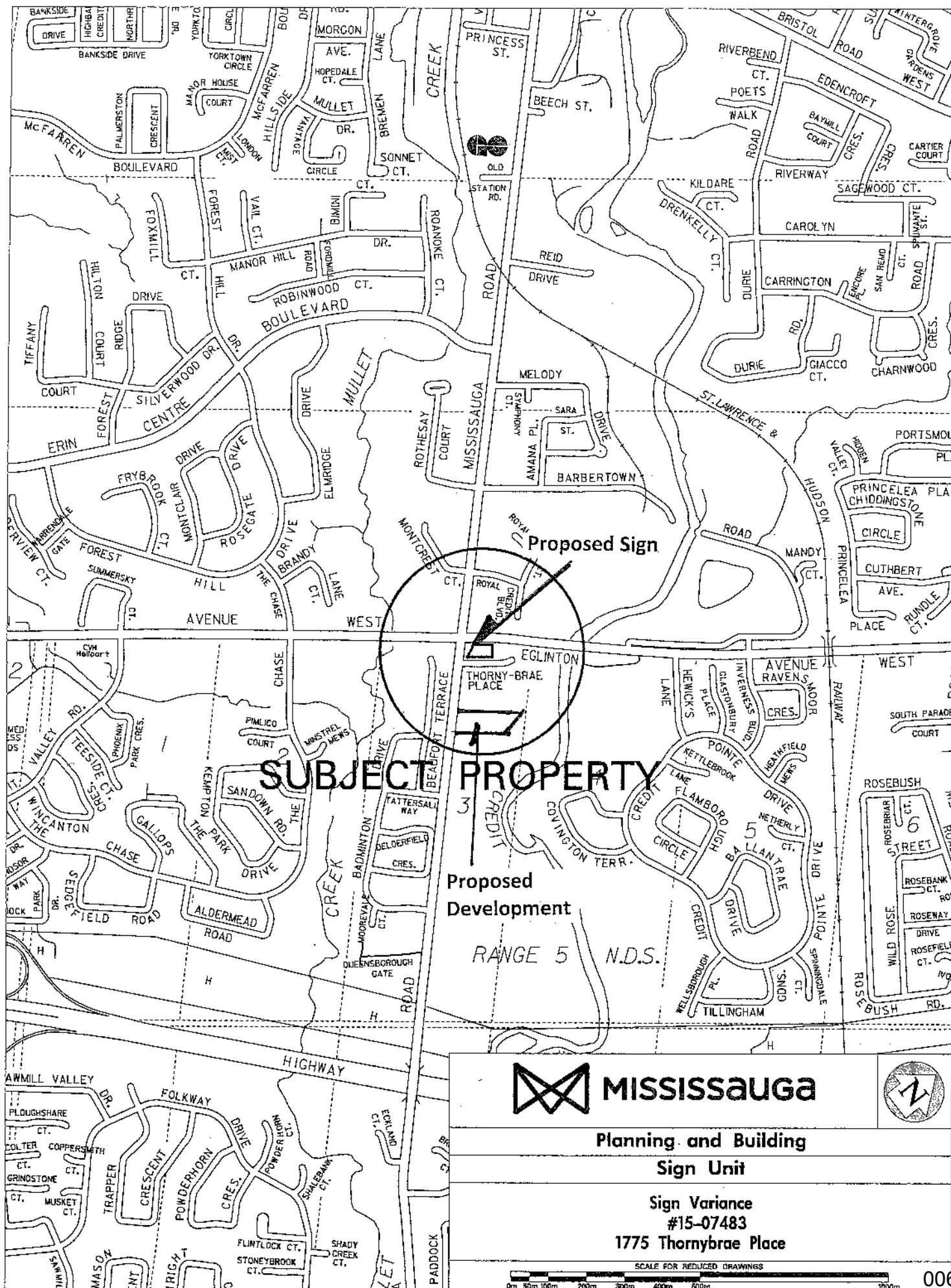
RE: The Archways
1775 Thornybrae Place – Ward 8

The applicant requests the following variance to Sections 11 & 20 of Sign By-law 0054-2002, as amended.

Section 11	Proposed
Billboard signs are not permitted to be erected on a property zoned residential.	One (1) billboard sign erected on a property zoned residential (R1).
Section 20(2)(b)	Proposed
No part of a billboard sign shall be located closer than 92 m (301.8 ft.) measured in a straight line from a residential zone.	One (1) billboard sign erected approximately 62m (203 ft.) facing a residential zone.
Section 20(2)(d)	Proposed
No part of a billboard sign shall be located closer than 7.5 m (24.6 ft.) to a street line.	One (1) billboard sign located 3 m (9.8 ft.) from street line.
Section 20(3)	Proposed
The maximum sign area of a billboard shall be 20 sq. m. (215.27 sq. m.) per sign face.	One (1) billboard sign with a sign face area of 35.67 sq. m (384 sq. ft.).

COMMENTS:

This sign variance is refused due to the close proximity to adjacent residential. A “permanent” billboard sign (there is no provision for a temporary billboard sign) in this location would set an undesirable precedent adjacent a residential zone where currently none are allowed.



MISSISSAUGA



Planning and Building

Sign Unit

Sign Variance

#15-07483

1775 Thornybrae Place

SCALE FOR REDUCED DRAWINGS

0m 50m 100m 200m 300m 400m 500m 1000m

006

MEMO



Date: November 2nd, 2015
RE: Variance Rationale SGN-15-7483

To: **Darren Bryan, CBCO**
Supervisor, Sign Unit
T 905 615-3200 ext. 5697 | F 905 896-5686
darren.bryan@mississauga.ca

City of Mississauga | Planning and Building Department
Building Division, Inspection Services

We are seeking approval to enhance this area of the neighbourhood with a temporary off site on our clients own property. This location will give great exposure for assisting with the marketing/advertising of their current approved site The Archways which is up the street from this sign permits location. Site signage is the most successful means of advertising.

We believe the sign will enhance the current state of this location by improving the corner appearance.

Our client has gone to great lengths to follow all rules and regulations in regards to providing Engineered Drawings, permit fees and all Health and Safety practices.

We hope that the variance committee sees this as an enhancement to beautify a neglected area of Mississauga and grant this variance application.

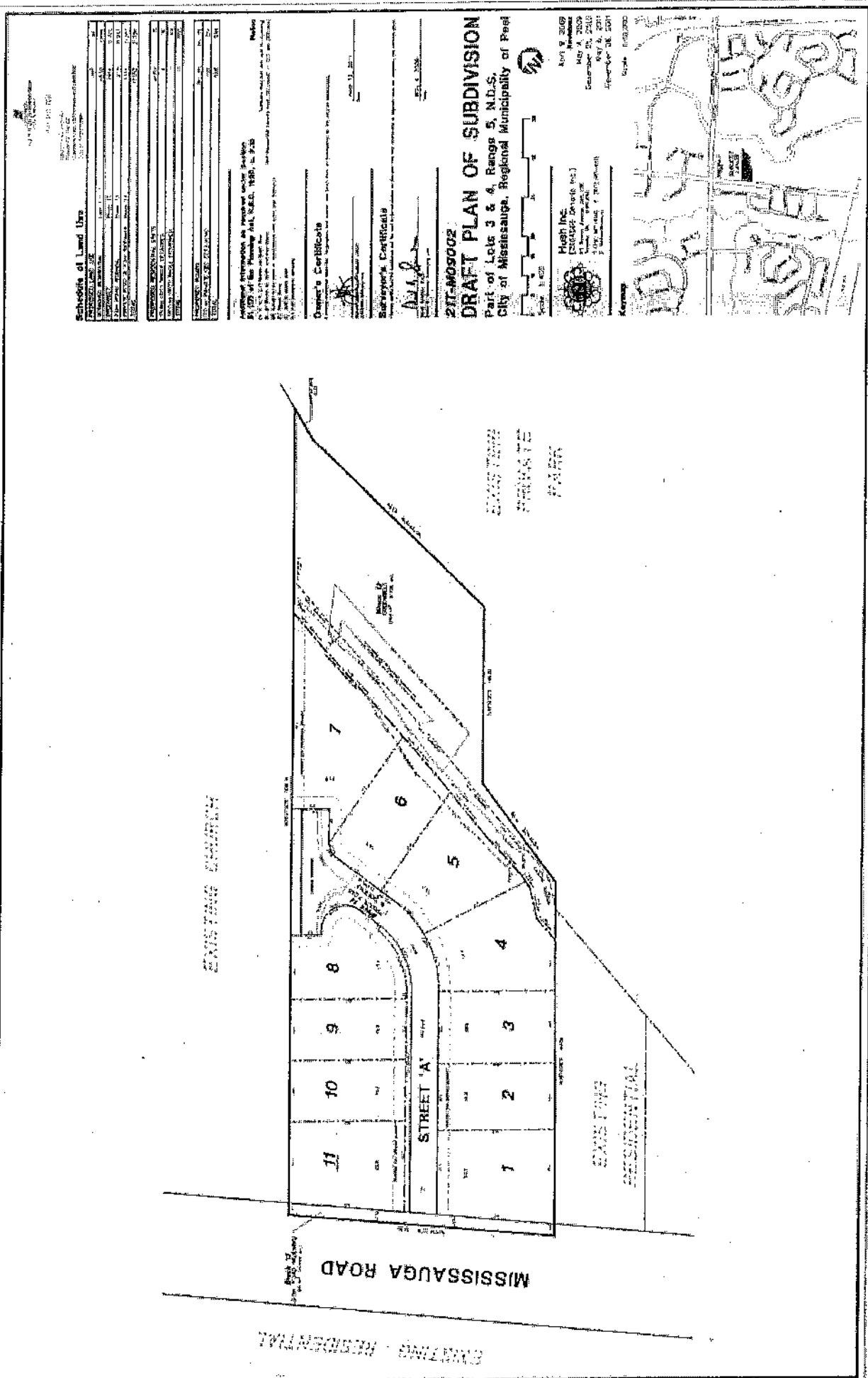
Sincerely,

Brenda Colvin

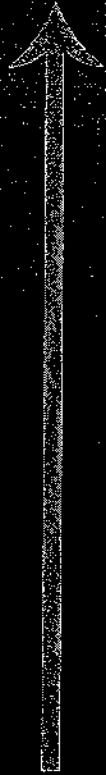
Sign 16' x 24'



CLIENT: 462357 Ontario Inc.
 LOCATION: NE Corner Mississauga Rd
 and Eglinton Ave w
 TITLE: 16 x 24 Billboard
 DRAWING #: 5 OF 7
 DATE: Sept 9, 2015



The ARCHWAYS



REGISTER AT THEARCHWAYS.COM



CLIENT: 462357 Ontario Inc.
LOCATION: NE Corner Mississauga Rd
and Eglinton Ave W
TITLE: 16 x 24 Billboard
DRAWING #: 2 OF 7
DATE: Sept 9 2015

24 ft

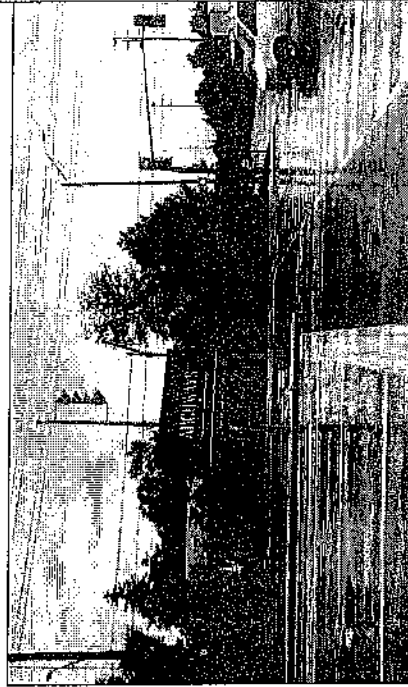
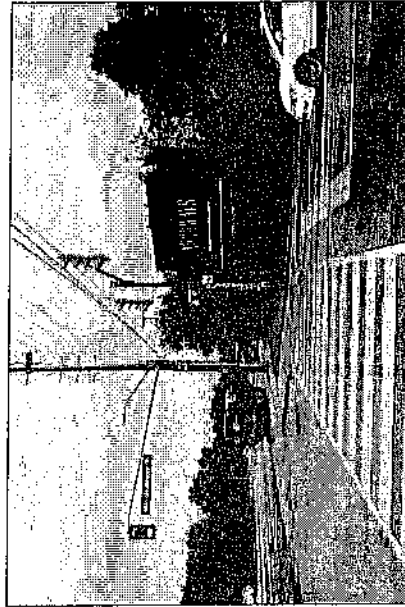


16 ft

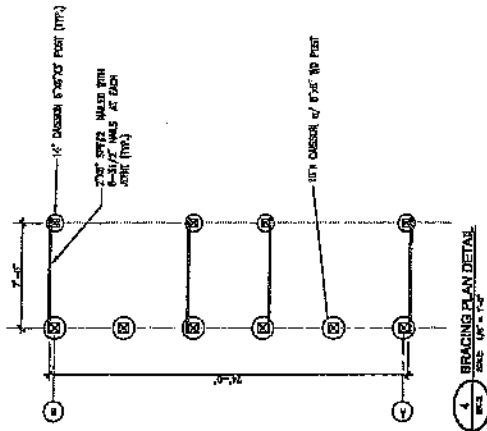
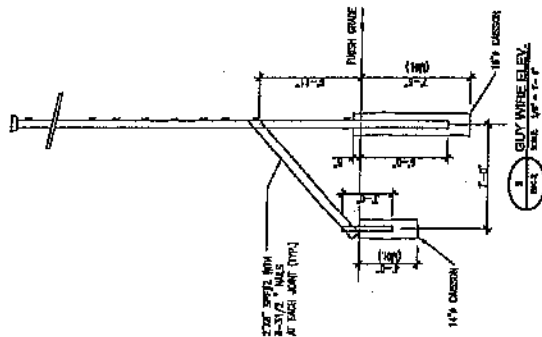
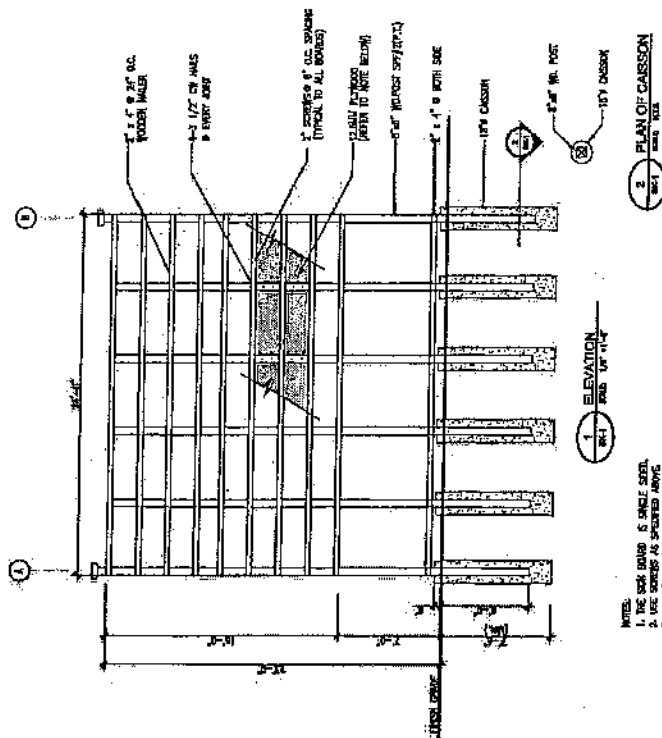
REGISTER AT: THEARCHWAYS.COM



CLIENT: 462357 Ontario Inc.
LOCATION: NE Corner Mississauga Rd
and Eglington Ave W
TITLE: 16 x 24 Billboard
DRAWING #: 3 OF 7
DATE: Sept 9 2015



CLIENT: 462357 Ontario Inc.
 LOCATION: NE Corner Mississauga Rd
 and Eglinton Ave W
 TITLE: 16 x 24 Billboard
 DRAWING #: 4 OF 7
 DATE: Sept 9 2015



2 PLAN OF CARSON

1 ELEVATION

4 BRACING PLAN DETAIL

NOTES:
1. THE SIGN IS TO BE 16'-0" HIGH.
2. THE SIGN IS TO BE 16'-0" WIDE.
3. THE SIGN IS TO BE 16'-0" DEEP.
4. THE SIGN IS TO BE 16'-0" THICK.
5. THE SIGN IS TO BE 16'-0" WEIGHT.
6. THE SIGN IS TO BE 16'-0" COLOR.
7. THE SIGN IS TO BE 16'-0" MATERIAL.
8. THE SIGN IS TO BE 16'-0" FINISH.
9. THE SIGN IS TO BE 16'-0" TREATMENT.
10. THE SIGN IS TO BE 16'-0" PROTECTION.
11. THE SIGN IS TO BE 16'-0" MAINTENANCE.
12. THE SIGN IS TO BE 16'-0" REPLACEMENT.
13. THE SIGN IS TO BE 16'-0" DISPOSAL.
14. THE SIGN IS TO BE 16'-0" STORAGE.
15. THE SIGN IS TO BE 16'-0" TRANSPORT.
16. THE SIGN IS TO BE 16'-0" INSTALLATION.



CLIENT: 462357 Ontario Inc.
LOCATION: NE Corner Mississauga Rd
and Eglinton Ave w
TITLE: 16 x 24 Billboard
DRAWING #: 7 OF 7
DATE: Sept 9 2015



8611 JANE ST.
SUITE 200, CONCORD
ONT, CANADA
L4K 2M6
T: 905.760.9588
F: 905.760.9599
www.picco-engineering.com

ITEM	DATE	DESCRIPTION/REVISIONS
1	08/19/15	FOR COORDINATION AND PERMIT APPLICATION
2		
3		

PROJECT NAME: Seasonal Design	PROJ. NO. 15-333R
PROJECT LOCATION: Mississauga Road and Eglinton Road	SHEET NO. SK-1
PROJECT TITLE: SIGN BOARD DETAIL	

Date: February 2, 2016	Originator's file: CD.06.REP
To: Chair and Members of Planning and Development Committee From: Edward R. Sajecki, Commissioner of Planning and Building	Meeting date: 2016/02/22

Subject

PUBLIC MEETING INFORMATION REPORT (WARD 1)

Proposal to revise the zoning to restrict the height of sloped roof houses and eaves and add a maximum house depth regulation for residential properties in parts of Ward 1 not subject to infill housing regulations; and to limit the height of flat roof homes for certain residential zones in Ward 1 along Hurontario Street not included in By-law 0171-2015 passed by Council in June 2015

Applicant: City of Mississauga

Recommendation

1. That the report dated February 2, 2016, from the Commissioner of Planning and Building regarding the proposed amendments to the Zoning By-law for residential areas in the Port Credit, Lakeview and Mineola neighbourhoods, be received for information.
2. That the Planning and Building Department report back on any public submissions received and make recommendations on the proposed zoning amendments for residential areas in parts of Ward 1.

Report Highlights

- Ward 1 Councillor Tovey has requested that Planning staff review the current zoning regulations for residential areas in parts of Ward 1 to address concerns with respect to the height of sloped roofs and eaves and the depth of new homes and additions;
- Staff also propose that the Zoning By-law be further amended to restrict the height of flat roofs for specific residential zones not included in By-law 0171-2015 passed by Council in June 2015;
- Council has previously passed Zoning By-law amendments to address infill housing development issues in other parts of the City;
- Planning staff are currently reviewing the zoning regulations for the Cranberry Cove

neighbourhood in Port Credit concurrent with this review.

Background

Ward 1 is currently experiencing increased residential infill housing development. In certain instances, this has resulted in new houses being constructed to the maximum allowable height under the Zoning By-law and with excessive depths, imposing negative impacts with respect to height, overlook, shadowing and massing on existing houses that are generally one to two storeys in height. This issue is especially prevalent within the areas of Ward 1 that are not subject to the infill housing regulations or Site Plan Control.

As a result of concerns raised about the height of new homes with flat roofs, Council recently enacted a Zoning By-law amendment that reduced the height of flat roofs for new homes within certain residential zones in Ward 1, under By-law 0171-2015. This By-law has been appealed to the Ontario Municipal Board; however no date has been set for a hearing as of yet.

As a result of that review and ongoing issues about new infill housing development within areas throughout Ward 1, additional concerns have been raised by Ward 1 Councillor Jim Tovey regarding the height of sloped roofs and eaves and the overall depth of new homes on residential lots within Ward 1. Planning and Building Department staff has therefore been requested to bring a further report to Committee dealing with these issues.

Comments

Infill Housing Regulations in the City of Mississauga

The regulation of infill housing through Zoning By-law standards is not new in Mississauga. The infill housing areas in Clarkson-Lorne Park, Mineola, Streetsville, Old Port Credit Village and Meadowvale Village Heritage Conservation Districts and the Hiawatha neighbourhood in Port Credit are examples in the City where more restrictive zoning standards have been introduced over the years in an attempt to better retain the character of these areas and reduce the incompatibility between existing houses and new construction. All of the infill housing regulations above contain a maximum flat roof height of 7.5 m (24.6 ft.), a maximum sloped roof height of either 9.0 m (29.5 ft.) or 9.5 m (31.2 ft.) depending upon lot frontage, measured to the highest ridge of the roof, a maximum eaves height of 6.4 m (21.0 ft.) and a maximum dwelling depth of 20.0 m (65.6 ft.).

A similar review of zoning regulations for the Cranberry Cove neighbourhood in Port Credit is being carried out concurrent with these proposed amendments. A Public Meeting/Information Report for this review was held on January 18, 2016. In addition, Council recently approved a Zoning By-law amendment that restricted the height of flat roof homes in parts of Ward 1 that are not subject to infill housing, including the Cranberry Cove neighbourhood.

In order to limit the impact of new infill housing development within other residential areas in Ward 1 not subject to infill housing regulations, the following describes and outlines the Zoning By-law amendments that are being considered.

Proposed Zoning By-law Amendments

Sloped Roof Height and Eaves Height

For a house with a sloped roof, the existing Zoning By-law regulations measures the height of a sloped roof from average grade to the mid-point of a roof, between the eaves and the highest ridge (see Appendix 3). The current height permissions for sloped roofs within the subject areas is 10.7 m (35.1 ft.) measured to the mid-point of a roof, with no regulation for maximum eaves height.

To address concerns regarding height of sloped roof houses, it is proposed that the Zoning By-law for residential areas in Ward 1 not subject to infill housing regulations be amended to reduce the maximum height of houses with sloped roofs to 9.5 m (31.2 ft.) measured from average grade to the highest ridge. To supplement the proposed reduction in sloped roof height and in order to prevent possible roof pitch manipulations, it is also proposed that a regulation be added to create a maximum eaves height of 6.4 m (21.0 ft.), measured from average grade.

Flat Roof Height

As previously indicated, Council recently enacted a Zoning By-law amendment for residential properties within the Ward 1 area to reduce the maximum height of a flat roof. Through additional research, it was found that there were certain residential zones within Ward 1 not included in the previous flat roof by-law. These additional zones pertain mostly to properties located along Hurontario Street. In order to continue to address the concern regarding the height of flat roofs in Ward 1, it is recommended that the additional residential zones be amended to reduce the maximum height of a flat roof to 7.5 m (24.6 ft.), in conjunction with the other zoning amendments proposed as part of this report.

Maximum Dwelling Depth

The Zoning By-law measures depth as the distance between the front wall and rear wall of a house. Currently, this regulation is not applicable in the residential areas of Ward 1 not subject to infill housing regulations.

To address the concerns regarding the overall massing of houses, overlook and shadowing, it is proposed that the Zoning By-law be amended to add a new regulation that permits a maximum dwelling depth of 20.0 m (65.6 ft.).

Residential Zones in Ward 1 affected by the proposed amendments

The following are the residential zones within Ward 1 that are proposed to be amended to include the revisions and added regulations as described above:

- R1, R2 and R3 (Detached Dwellings – Typical Lots);
- R15 (Detached Dwellings- Port Credit);
- RM1 and RM2 (Semi-Detached Dwellings);
- RM7 (Detached, Semi-Detached, Duplex and Triplex Dwellings).

There are numerous properties with exception zones (site specific zones) within the above-noted zone categories that are also proposed to be amended through this review, including the following:

R1-17, R1-20, R1-21, R1-22, R1-38, R2-38, R2-39, R2-40, R2-41, R2-42, R2-43, R2-44, R2-46, R2-52, R2-55, R3-12, R3-17, R3-43, R3-45, R3-48, R3-56, RM7-2 and RM7-3.

Financial Impact

There will be some nominal costs for advertising and public consultation with respect to the proposed changes for Ward 1.

Conclusion

To address immediate concerns in parts of Ward 1 regarding height, overlook, shadowing and massing impacts of new houses and additions, amendments to the Zoning By-law are proposed to limit the height of sloped roof houses and eaves and add a maximum house depth regulation for residential areas of Ward 1 not subject to infill housing regulations. Also it is proposed that the Zoning By-law be further amended to restrict the height of flat roof houses for specific residential zones not included in By-law 0171-2015 passed by Council in June 2015.

Attachments

Appendix 1: Ward 1 – Residential Zones Not Subject to Infill Housing Regulations

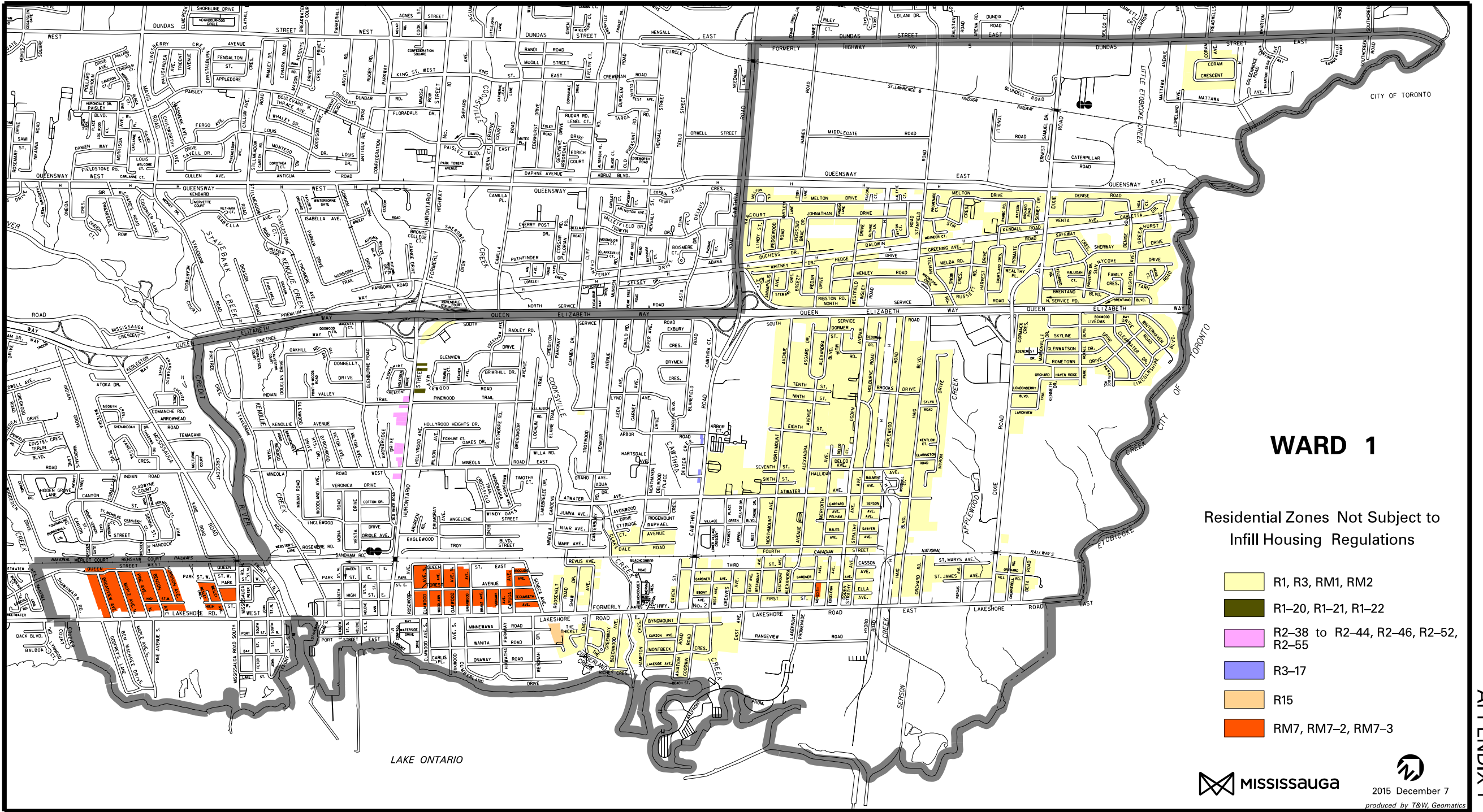
Appendix 2: Examples of Houses in Ward 1

Appendix 3: Illustration of Dwelling Height



Edward R. Sajecki
Commissioner of Planning and Building

Prepared by: David Ferro, Development Planner



WARD 1

Residential Zones Not Subject to Infill Housing Regulations

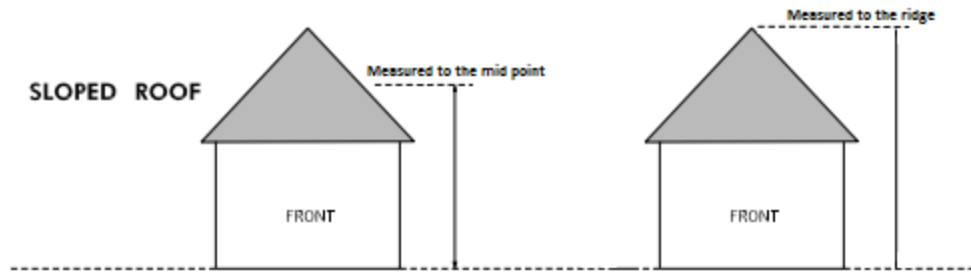
- R1, R3, RM1, RM2
- R1-20, R1-21, R1-22
- R2-38 to R2-44, R2-46, R2-52, R2-55
- R3-17
- R15
- RM7, RM7-2, RM7-3

Examples of Houses in Ward 1





Illustration of Dwelling Height



Date: February 2, 2016	Originator's file: OZ 09/009 W6
To: Chair and Members of Planning and Development Committee	
From: Edward R. Sajecki, Commissioner of Planning and Building	Meeting date: 2016/02/22

Subject

PUBLIC MEETING RECOMMENDATION REPORT (WARD 6)

Application to permit a private elementary school, 935 Eglinton Avenue West and Block 127, Plan 43M-1034, north side of Eglinton Avenue West, west of Terry Fox Way

Owner: Masjid-e Farooq-e Azam Mississauga & Makkah Holdings Inc.

File: OZ 09/009 W6

Recommendation

That the Report dated February 2, 2016 from the Commissioner of Planning and Building recommending approval of the application under File OZ 09/009 W6, Masjid-e Farooq-e Azam Mississauga & Makkah Holdings Inc., 935 Eglinton Avenue West, Block 127, Plan 43M-1034, north side of Eglinton Avenue West, west of Terry Fox Way be adopted in accordance with the following:

1. That the application to change the Zoning from **RM4-58 (Townhouse Dwellings)** and **RM5-3 (Street Townhouse Dwellings)** to **RM4-Exception (Residential)** to permit a two storey private elementary school in conjunction with a place of religious assembly in accordance with the recommended zoning standards described in Appendix 6 of this report, be approved subject to the following conditions:
 - (a) That the applicant agrees to satisfy all the requirements of the City and any other external agency concerned with the development;
 - (b) That the private elementary school be limited to a maximum gross floor area of 2 160 m² (23 250 sq. ft.);

- (c) That prior to the implementation of the Zoning By-law, the owner of Block 127, Plan 43M-1034 enter into an agreement to grant an easement in perpetuity to the satisfaction of the City, over Block 127, for the provision of parking for the existing mosque and proposed private school.
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.

Report Highlights

- Although a private school is permitted in the Official Plan and Zoning By-law, a rezoning with an exception zone is proposed to address variances to the standard zoning provisions;
- Additional comments were received from the public regarding on-street parking along Moulin Rouge Crescent and Warwickshire Way during mosque events; the number of proposed on-site parking spaces; access; landscaping along Eglinton Avenue West and the proposed Construction Management Plan;
- Staff is satisfied with the changes to the proposal and find it to be acceptable from a planning standpoint and recommend that the application be approved.

Background

A public meeting was held by the Planning and Development Committee on March 18, 2013, at which time a Planning and Building Department Information Report (Appendix 1) was presented and received for information. The Planning and Development Committee passed Recommendation PDC-018-2013 which was adopted by Council and is attached as Appendix 2.

The Information Report indicated a number of issues to be resolved including technical details regarding the completion/restoration of Moulin Rouge Crescent and satisfactory arrangements concerning land ownership. These issues and periods of file inactivity have resulted in the delay bringing the Recommendation Report forward. Full notice has been provided to ensure the community is aware of the proposal.

Comments

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

REVISED DEVELOPMENT PROPOSAL

The applicant has made some minor modifications to the proposed site plan including:

- The provision of a minimum of 35% of landscaped open space within the site

In addition, the owner has agreed to the reconstruction of the southerly portion of the Moulin Rouge Crescent right-of-way including road, curb and boulevard upgrades at the City's request as shown as Appendix 7.

COMMUNITY COMMENTS

Issues were identified by residents raised at the March 18, 2013 public meeting and through written submissions. The following is a summary of issues raised by the community:

Comment

Concerns were expressed with the amount of traffic that the existing mosque and the proposed private school would generate and the impact on road safety in the area.

Response

Transportation and Works has advised that the proposed private school can be accommodated within the existing road network with the extension of the existing centre median on Eglinton Avenue West further west, to restrict eastern access to a right/in right/out only and by adding a painted eastbound left turn lane into the western access to the site (See Appendix 3). The applicant has agreed to pay the full cost of the proposed road improvements.

Comment

Concerns were raised regarding vehicles parking on Moulin Rouge Crescent and Warwickshire Way during mosque events and the lack of on-site parking. The residents requested a fence across the north boundary line to prevent on-street parking/pedestrian access to Moulin Rouge Crescent.

Response

A 1.8 m (6 ft.) high wooden fence is proposed along the length of the property abutting Moulin Rouge Crescent and Warwickshire Way. Although the residents would prefer that no access be permitted to the north, pedestrian access should be provided to allow worshippers who live in the area to walk to the mosque and school reducing the need for on-site parking and vehicle trips to the site. This issue will be reviewed as part of site plan approval.

The applicant is providing 167 parking spaces in two levels of underground parking which exceeds the by-law requirement for on-site parking. A total of 83 parking spaces are required based on the proposed gross floor area of the private school and existing mosque.

Comment

Concerns were raised from the residents that the proposed school gymnasium would also be used for prayer purposes associated with the mosque, increasing the use of on-street parking in the area.

Response

The applicant has advised that the school gymnasium will not to be used for prayer services or private banquets. Should the applicant intend to use the gymnasium for such uses, additional minor variances or a rezoning may be required that would be subject to a public process.

Comment

A concern was raised about the proposed construction management plan and the need to use local streets for vehicle parking during construction.

Response

The City has received a construction management plan and found the plan to be acceptable. During construction, temporary pedestrian access to Moulin Rouge Crescent and Warwickshire Way will be permitted. A construction fence is being proposed along the perimeter of the building site to restrict vehicle access. On-street parking on Moulin Rouge Crescent and Warwickshire Way will be permitted on a temporary basis until the development is complete. After construction, on-street parking permissions will be removed. Construction access will be from Eglinton Avenue West.

The applicant is also providing alternative off-site parking arrangements during construction for mosque worshippers including:

- The use of 167 parking spots on private driveways of mosque worshippers who live within the immediate area of the site;
- The use of a shuttle bus to transfer worshippers to and from their homes to the mosque.

Comment

Concerns were raised regarding the reconstruction of the southerly portion of Moulin Rouge Crescent where the street abuts the subject property.

Response

The original subdivision plan for the area proposed Moulin Rouge Crescent running south through the subject lands to Eglinton Avenue West to provide access for residential development of the lands. The proposed development is not proposing a connection to Eglinton Avenue West from Moulin Rouge Crescent. Transportation and Works have advised that the southerly portion of Moulin Rouge Crescent where it terminates at Warwickshire Way needs to be reconstructed to remove the stub and reinstate the boulevard. The applicant has agreed to pay for the cost of the works (see Appendix 7).

UPDATED AGENCY AND CITY DEPARTMENT COMMENTS

Updated comments from City Departments and Agencies are contained in Appendix 5.

PLANNING COMMENTS

Official Plan

Mississauga's Official Plan permits a private school on the subject lands. Private schools are considered to be Community Infrastructure and are permitted in all land use designations except for Greenbelt lands, subject to the community infrastructure policies contained in Section 7.3 of the Official Plan. Community infrastructure, including private schools, contributes to creating complete communities and supports quality of life.

Where non-residential land uses (like private schools) are considered in neighbourhoods, the Official Plan recommends that they be directed to corridors. Eglinton Avenue West is designated as a Corridor in the Official Plan. The proposal meets the noted policies as well as the overall intent, goals and objectives of Mississauga Official Plan.

Zoning

Private schools are permitted in all **RM1 to RM9** zones subject to general provisions in the Zoning By-law. The proposed **RM4-Exception (Residential)** will include the variances from the by-law and puts both properties within the same zone exception. Appendix 6 contains the general site specific zoning provisions for the development. An exception schedule containing more detailed illustrated provisions may be provided with the implementing Zoning By-law.

The proposed development will meet the Zoning requirements for on-site parking spaces.

Due to the concerns raised regarding the lack of on-site parking for mosque events, the Department recommends the following restrictions be included in the implementing zoning by-law:

- A maximum gross floor area (non-residential) for the private school of 2 160 m² (23 250 ft²)

Ownership

The application consists of two parcels of land. The proposed parking lot portion and the proposed private school and existing mosque portion are separately owned. Prior to the implementation of the Zoning By-law, the owner of Block 127, Plan 43M-1034 (parking lot portion – see Appendix 8) will be required to grant an easement to the City for the provision of parking for uses permitted on the site to ensure the parcel cannot be redeveloped which could cause a deficiency in parking. If the application is approved, the Zoning By-law would be written to treat the properties as one.

Site Plan

Prior to development occurring on the lands, the applicant will be required to obtain site plan approval. A site plan application has been submitted for the proposed development under File SP 09/074 W6. The proposed site plan and elevations are contained in Appendix 3 and Appendix 4 respectively.

The applicant received site plan approval previously for the mosque under File SP 01/439 W6 in 2007. The landscaping was never completed. The City still holds a letter of credit for the landscape work to ensure it is finished.

As part of the current review of SP 09/074 W6, the City will be requesting that the owner enter into a site plan agreement in order to address the on-site landscaping issue for the entire site.

Financial Impact

Development charges will be payable as required by the Development Charges By-law of the City. Also, the financial requirements of any other commenting agency review must be met.

Conclusion

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

1. The proposed use conforms to the Official Plan.
2. The technical issues have been addressed including: the introduction of a 1.8 m (6 ft.) wooden fence along Moulin Rouge Crescent and Warwickshire Way; a pedestrian access to Moulin Rouge Crescent and Warwickshire Way for those residents in the area who attend the mosque; ensuring the proposed number of on-site parking spaces meets the by-law and improvements to Eglinton Avenue West to reduce the traffic impact at this site.
3. The proposed RM4-Exception (Residential) zoning standards are appropriate to accommodate the requested use.

Attachments

Appendix 1: Information Report
Appendix 2: Recommendation PDC-0018-2013
Appendix 3: Proposed Site Plan
Appendix 4: Proposed Elevations
Appendix 5: Updated Agency Comments
Appendix 6: Zoning Standards
Appendix 7: Moulin Rouge Crescent Restoration
Appendix 8: Land Ownership



Edward R. Sajecki
Commissioner of Planning and Building

Prepared by: Michael Hynes, Development Planner



Corporate Report

Clerk's Files

Originator's
Files OZ 09/009 W6

APPENDIX 1

PDC MAR 18 2013

DATE: February 26, 2013

TO: Chair and Members of Planning and Development Committee
Meeting Date: March 18, 2013

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Rezoning Application
To permit a Private Elementary School
935 Eglinton Avenue West and Block 127, 43M-1034
North side of Eglinton Avenue West, West of Terry Fox Way
Owners: Masjid-e Farooq-e Azam Mississauga &
Makkah Holdings Inc.
Applicant: Macaulay Shiomi Howson Ltd.
Bill 51

Public Meeting **Ward 6**

RECOMMENDATION: That the Report dated February 26, 2013 from the Commissioner of Planning and Building regarding the application to change the Zoning from "RM4-58" (Residential) and "RM5-3" (Residential), to "RM4-Exception" (Residential) to permit a private elementary school in conjunction with a place of religious assembly, under file OZ 09/009 W6, Masjid-e Farooq-e Azam Mississauga and Makkah Holdings Inc., 935 Eglinton Avenue West and Block 127, 43M-1034, be received for information.

**REPORT
HIGHLIGHTS:**

- The private elementary school is proposed in conjunction with an existing place of religious assembly.
- Prior to the supplementary report, matters to be addressed include: outstanding department and agency comments and the submission and review of supporting information.

BACKGROUND:

The above-noted application has been circulated for technical comments. The purpose of this report is to provide preliminary information on the application, and to seek comments from the community.

COMMENTS:

The subject rezoning application includes two parcels of land under separate ownership. The property identified as 935 Eglinton Avenue West is owned by Masjid-e Farooq-e Azam Mississauga, and the adjacent parcel to the west, identified as Block 127 on plan 43M-1034, is owned by Makkah Holdings Inc.

The proposal is to permit the construction of a two storey private elementary school and two levels of underground parking, in conjunction with the existing mosque located at 935 Eglinton Avenue West. In addition, the application seeks to allow associated surface parking on the adjacent parcel.

Development Proposal	
Application submitted:	June 4, 2009 (application submitted) June 18, 2009 (deemed complete) September 27, 2011 (resubmission) July 13, 2012 (resubmission)
Existing Gross Floor Area:	927.4 m ² (9,983 sq. ft.)
Proposed Gross Floor Areas:	New Building 2,379.3 m ² (25,611 sq. ft.) Total Site 3,303.8 m ² (35,563 sq. ft.)

Development Proposal	
Building Height:	2 storeys 9.1 m (29.9 ft.) (grade to roof) 20 m (65.6 ft.) (grade to top of minaret)
Total Lot Coverage:	22 %
Landscaped Area:	19 %
Parking Required:	122 * * (plus parking for day care at 2.5 spaces/100 m ² of GFA)
Parking Provided:	167
Supporting Documents:	Planning Justification Report Traffic Impact Study Stormwater Management Report Phase 1 Environmental Assessment Environmental Noise Assessment Traffic Impact Study Site Plan Landscape Plan and Details Topographic Survey Site Servicing and Grading Plan Drainage Catchment Area Plan Cross Section Plan Elevation Drawings and Floor Plans Eglinton Avenue Modification Plan

Site Characteristics	
Frontage:	133.5 m (438.0 ft.)
Depth:	54.5 m (178.8 ft.)
Net Lot Area:	0.65 ha (1.61 ac.)
Existing Use:	Place of Religious Assembly (Mosque)

Green Development Initiatives

The applicant has proposed that the following green development initiatives will be incorporated into the development: bioswales; pervious stable surface; grass and dry swales; bicycle parking; rainwater harvesting (where feasible); native vegetation (where feasible). Further, it has been indicated that additional items such as reflective roofing and bird friendly glazing will be investigated through the building design process.

Neighbourhood Context

The subject property is located on the north side of Eglinton Avenue West, west of Terry Fox Way. The surrounding neighbourhood is characterized predominantly by detached, semi-detached and townhouse dwellings. In addition, a landscaping supply business, veterinary clinic and places of religious assembly are located along Eglinton Avenue West. Currently, there is a mosque on the subject property. Information regarding the history of the site can be found in Appendix I-1. The surrounding land uses are described as follows:

- North: Across Moulin Rouge Crescent, street townhouses and detached dwellings.
- East: Townhouse dwellings.
- South: Across Eglinton Avenue West, street townhouses and detached dwellings.
- West: Immediately to the west, a landscaping supply business, and further west, a veterinary clinic and places of religious assembly.

Mississauga Official Plan

Mississauga Official Plan was adopted by City Council on September 29, 2010 and partially approved by the Region 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 lands are located within the **East Credit Neighbourhood Character Area**, on Eglinton Avenue West, which is identified as a **Corridor**. Mississauga Official Plan designates the subject lands as "**Residential Medium Density**", which permits community infrastructure, including private schools and places of religious assembly.

Existing Zoning

"**RM4-58**" (**Residential**) which permits a place of religious assembly and a day care, and "**RM5-3**" (**Residential**), which permits detached dwellings, semi-detached dwellings and street townhouse dwellings.

Proposed Zoning By-law Amendment

"**RM-4 Exception**" (**Residential**), to permit a private elementary school, day care and place of religious assembly. As part of the rezoning, the applicant is proposing a new exception zone for the site, and that the following zoning standards apply to the private school:

	Required Zoning By-law Standard - Private School	Proposed Standard
Min. Rear Yard	7.5 m (24.6 ft)	4.5 m (14.8 ft)
Max. Building Height	7.5 m (24.6 ft)	9.5 m (31.2 ft)
Min. Landscaped Area	40%	19%
Max. Gross Floor Area	0.23 (times the lot area)	0.37 (times the lot area)
Max. Gross Floor Area for accessory uses	20%	30%

DEVELOPMENT ISSUES

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

- Satisfactory arrangements regarding landscaping;
- Provision of technical details regarding the completion/restoration of Moulin Rouge Crescent to the satisfaction of the Transportation and Works Department;
- Satisfactory arrangements concerning land ownership.

OTHER INFORMATION

Development Requirements

In conjunction with the proposed development, there are certain other engineering matters with respect to grading and road improvements 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: Agency and City department comments have been received and after the public meeting has been held, and all of the outstanding 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 Existing Land Use Designation Map
Appendix I-4: Excerpt of Existing Land Use Map
Appendix I-5: Site Plan
Appendix I-6: Elevations
Appendix I-7: Agency Comments
Appendix I-8: General Context Map



Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Katherine Mahoney, Development Planner

MB

\\WPDATA\PD\DC\OZ09009W6\information report to pdc.km.doc\hr

**Masjid-e Farooq-e Azam Mississauga &
Makkah Holdings Inc.**

File: OZ 09/009 W6

Site History

- May 5, 2003 – The Region of Peel approved the Mississauga Plan policies for the East Credit District, designating the subject lands as "Residential Medium Density I".
- May 19, 2005 – The Committee of Adjustment approved a minor variance application under file 'A' 172/05 to permit the construction of a new place of religious assembly, with a reduced rear yard setback of 4.73 m (15.51 ft) whereas By-law 5500 required a minimum setback of 7.50 m (24.60 ft).
- January 19, 2007 – Site Plan Approval under file SP 01/439 was authorized to permit a new building for religious assembly.
- 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 for this site, the provisions of the By-law apply. The subject lands are zoned "RM4-25" (Residential) and "RM5-3" (Residential).
- November 14, 2012 – The Ontario Municipal Board issued a Notice of Decision approving Mississauga Official Plan (2011), as modified, save and except for certain appeals which have no effect on the subject application. The subject lands are designated "Residential Medium Density".



LEGEND:



SUBJECT LANDS

DATE OF AERIAL PHOTO: 03/12



SUBJECT: MASJID-E FAROOQ-E AZAM
MISSISSAUGA & MAKKAH HOLDINGS INC.

FILE NO:	OZ 09009 W6
DWG. NO:	09009A
SCALE:	1:2500
PDC DATE:	2013 03 18
DRAWN BY:	K. PROKOP
APPENDIX I-2	

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics

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

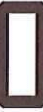
LAND USE LEGEND

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

CITY STRUCTURE

	Downtown		Corporate Centre
	Major Node		Employment Area
	Community Node		Special Purpose Area
	Neighbourhood		

ND2 Region of Peel Non-Decision

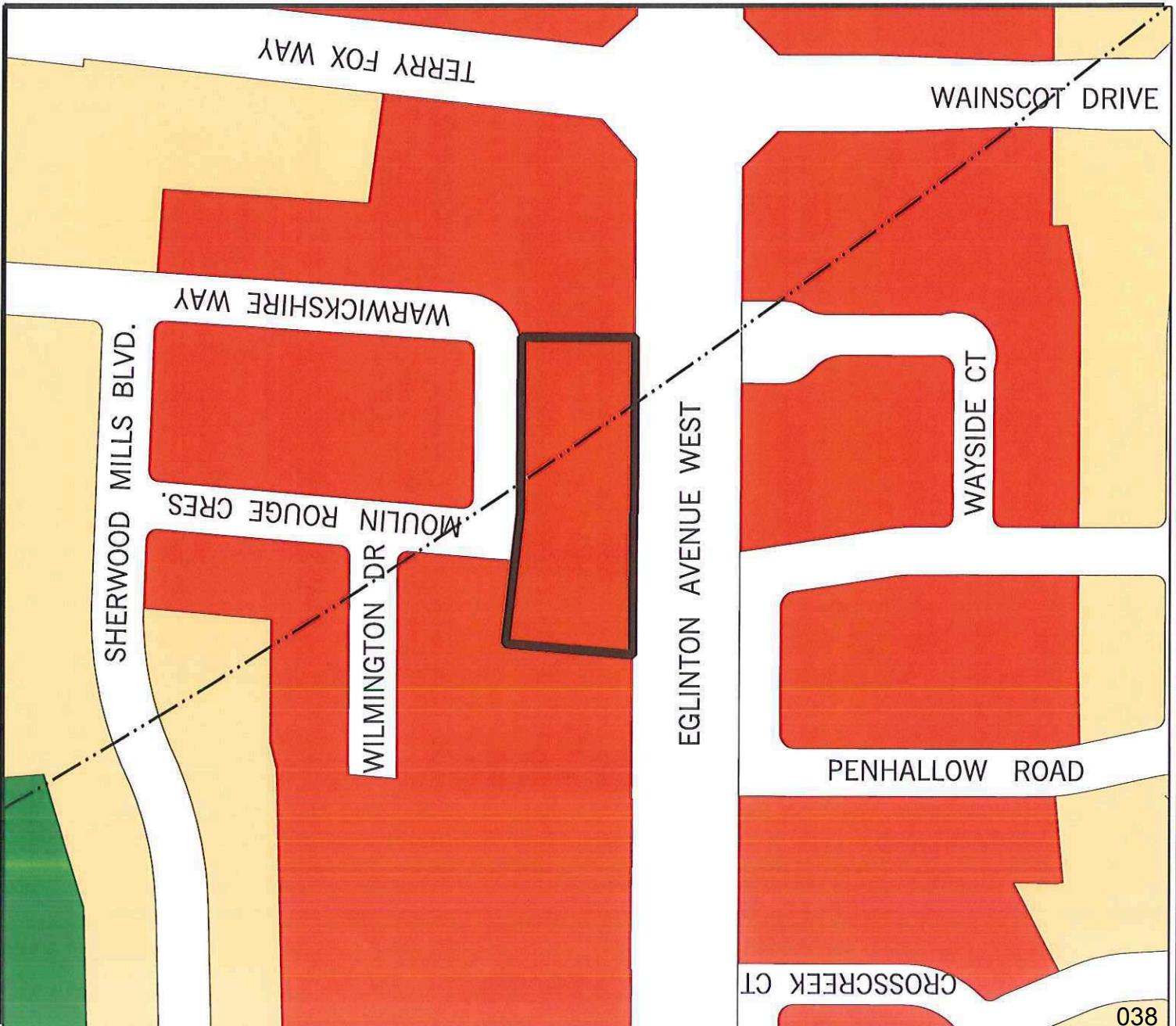
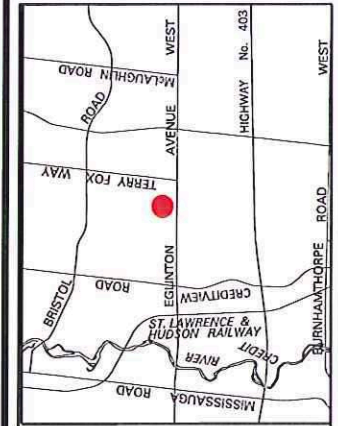


SUBJECT LANDS



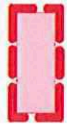
SUBJECT: MASJID-E FAROOQ-E AZAM
MISSISSAUGA & MAKKAH HOLDINGS INC.

FILE NO:	OZ 09009 W6	APPENDIX I-3	
DWG. NO:	09009R	PDC DATE:	2013 03 18
SCALE:	NTS	DRAWN BY:	K. PROKOP
		Produced by	T&W, Geomatics
		MISSISSAUGA	Planning and Building



LEGEND:

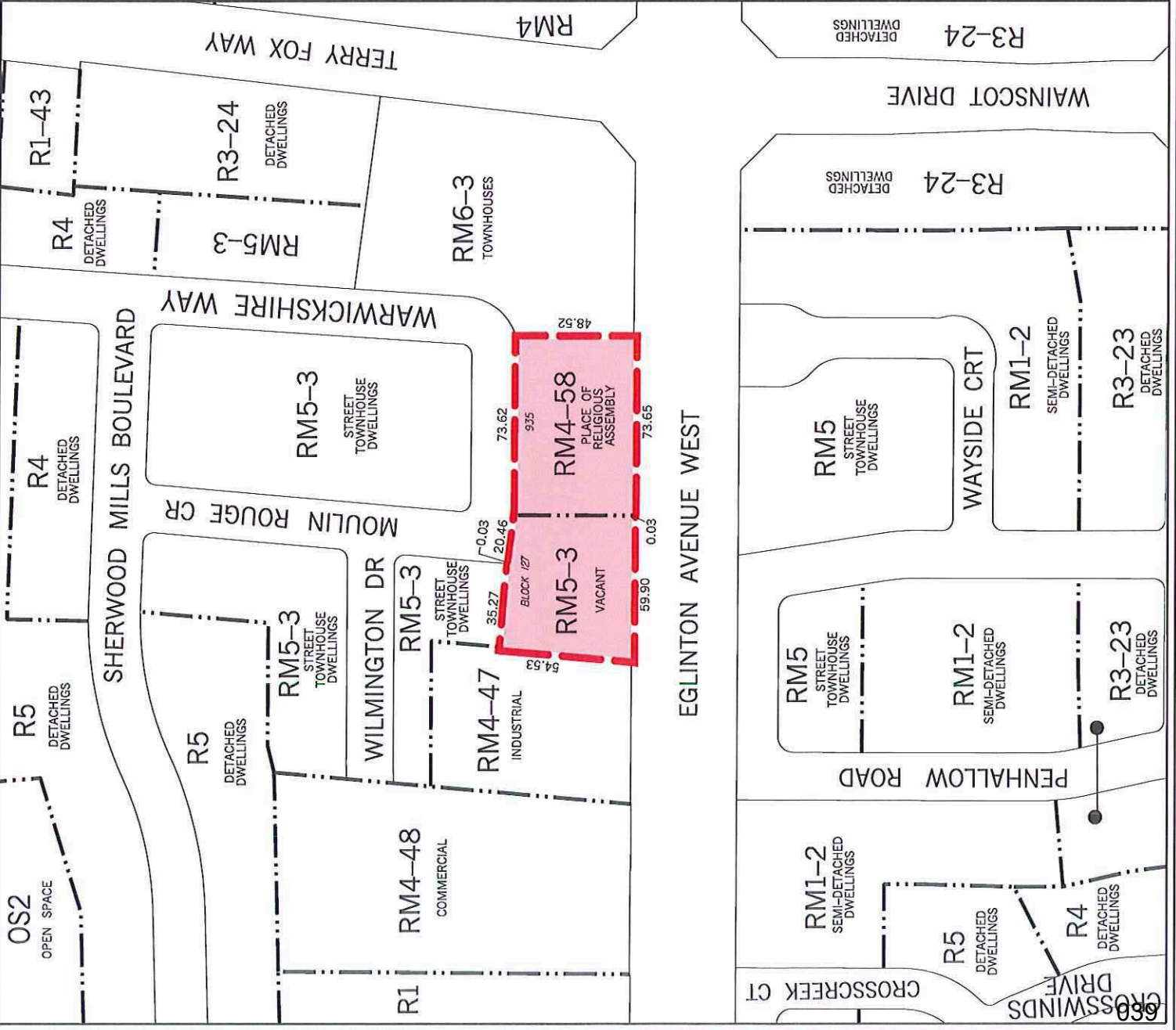
PROPOSED REZONING FROM 'RM4-58' (RESIDENTIAL) AND 'RM5-3' (RESIDENTIAL) TO 'RM4-EXCEPTION' (RESIDENTIAL) TO PERMIT A PRIVATE ELEMENTARY SCHOOL IN CONJUNCTION WITH A PLACE OF RELIGIOUS ASSEMBLY.

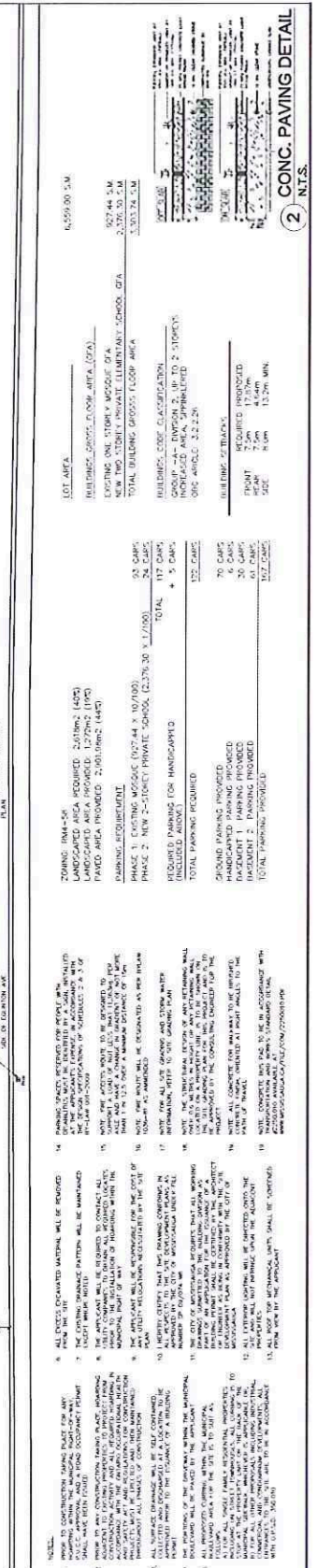
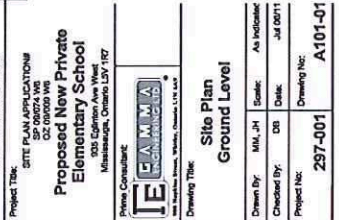


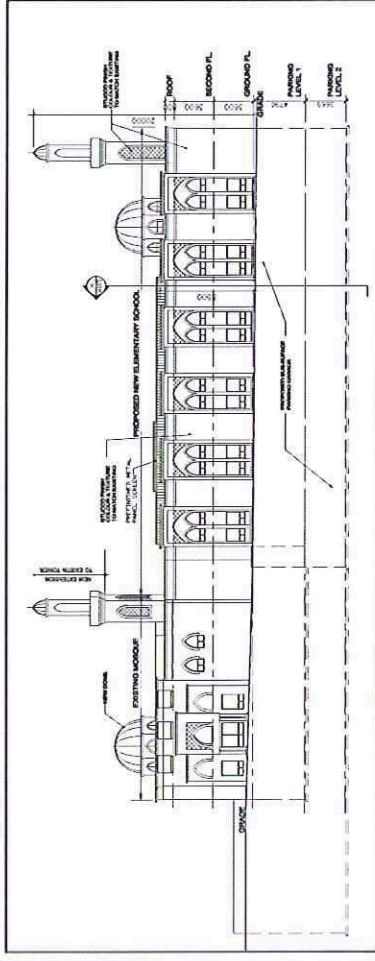
NOTE: EXISTING ZONING DELINEATED ON THE PLAN
PROPOSED ZONING INDICATED BY SHADING WITHIN
THE APPLICATION AREA.

SUBJECT: MASJID-E FAROOQ-E AZAM
MISSISSAUGA & MAKKAH HOLDINGS INC.

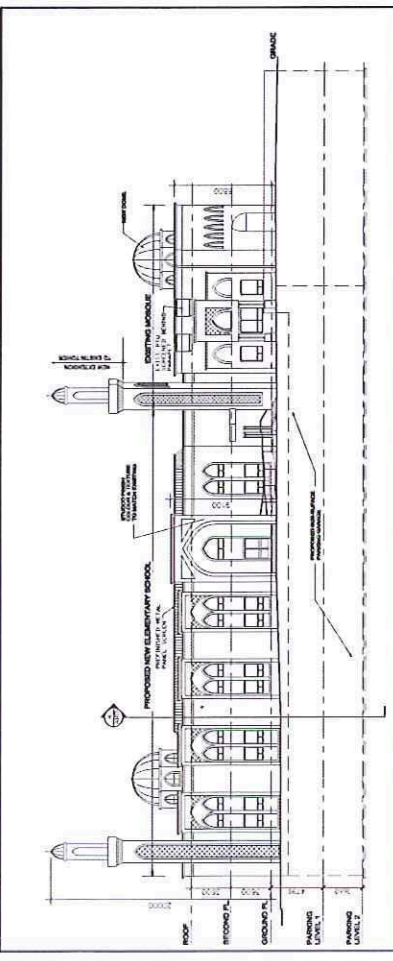
FILE NO: OZ 09009 W6		DWG. NO: 09009R		SCALE: 1:2500		PDC DATE: 2013 03 18		DRAWN BY: K. PROKOP		
					MISSISSAUGA Planning and Building					Produced by T&W, Geomatics



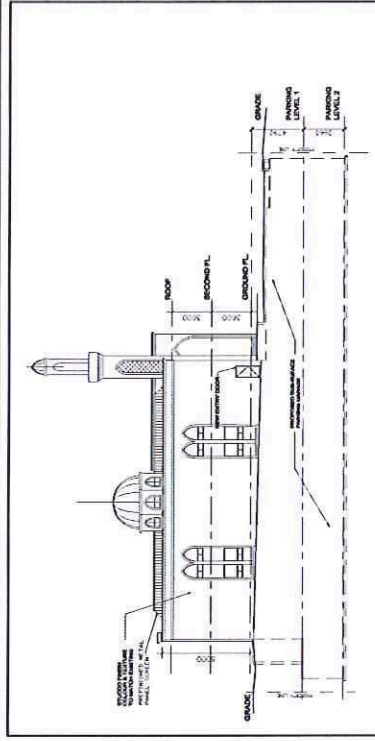




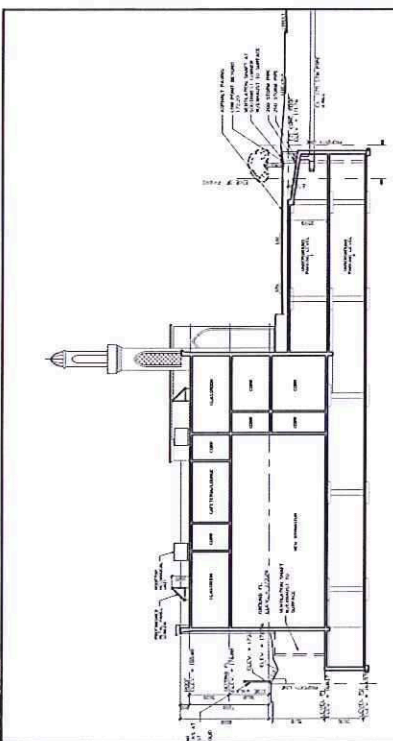
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1:200



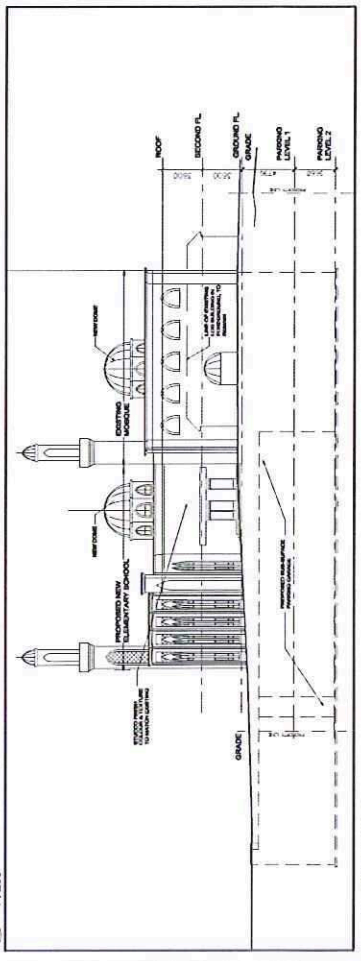
3 South Elevation
1:200



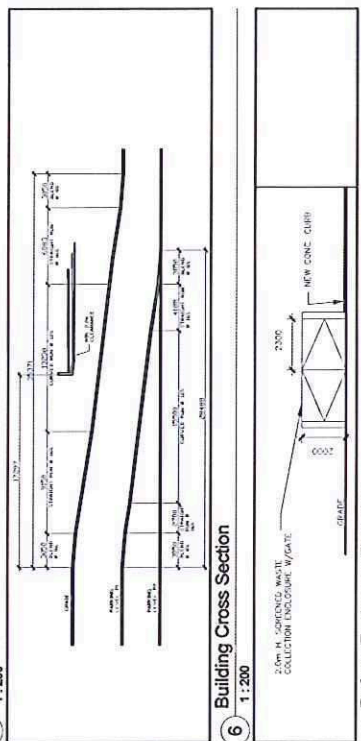
2 West Elevation
1:200



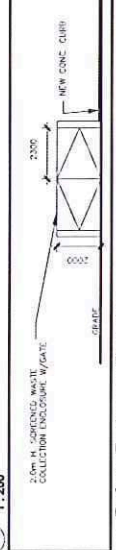
4 Building Cross Section
1:200



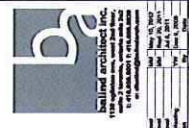
5 East Elevation
1:150



6 Building Cross Section
1:200



6 Refuse Enclosure Elevation
1:200



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Client		Masjid-e Farooq-e Azam
Project Title		535 Eglinton Ave West Markham, Ontario Masjid-e Farooq-e Azam
Proposed New Private Elementary School		535 Eglinton Ave West Markham, Ontario L3Y 1R7
Project No.		297-001
Drawing No.		A103
Drawing Date		2014
Drawing Scale		1:200
Drawing By		MM, JH
Drawing Date		2014
Project No.		297-001
Drawing No.		A103

**Masjid-e Farooq-e Azam Mississauga &
Makkah Holdings Inc.**

File: OZ 09/009 W6

Agency Comments

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

Agency / Comment Date	Comment
City Community Services Department – Parks and Forestry Division (January 29, 2013)	In comments dated January 29, 2013, this Department notes that prior to by-law enactment, a cash contribution for street tree planting and bicycle signs will be required. Further, prior to the issuance of building permits, cash-in-lieu of parkland 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 Transportation and Works Department (January 29, 2013)	<p>In comments dated January 29, 2013, this Department confirmed receipt of Site Plan, Site Grading and Servicing Plan, Stormwater Management Report, revised Traffic Impact Study and an addendum, Environmental Noise Assessment, and Phase 1 Environmental Site Assessment. These details are under review.</p> <p>Prior to the Supplementary Meeting, the applicant has been requested to provide revised plans with additional details for the completion/restoration of Moulin Rouge Crescent right-of-way to better demonstrate the feasibility of the proposed development.</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 these applications provided that all technical matters are addressed in a satisfactory manner:</p> <p>Community Services – Fire and Emergency Services Division Region of Peel</p>

**Masjid-e Farooq-e Azam Mississauga &
Makkah Holdings Inc.**

File: OZ 09/009 W6

Agency / Comment Date	Comment
	Enersource Hydro Mississauga Traffic Safety Sub-Committee
	<p>The following City Departments and external agencies were circulated the applications but provided no comments or have indicated they have no concerns or conditions.</p> <p>Community Services Department – Culture Division Bell Canada Rogers Cable Canada Post Corporation Hydro One Networks Incorporated Greater Toronto Airports Authority Peel Regional Police/CPTED</p>

APPENDIX I-8



Masjid-e Farooq-e Azam Mississauga & Makkah Holdings Inc.

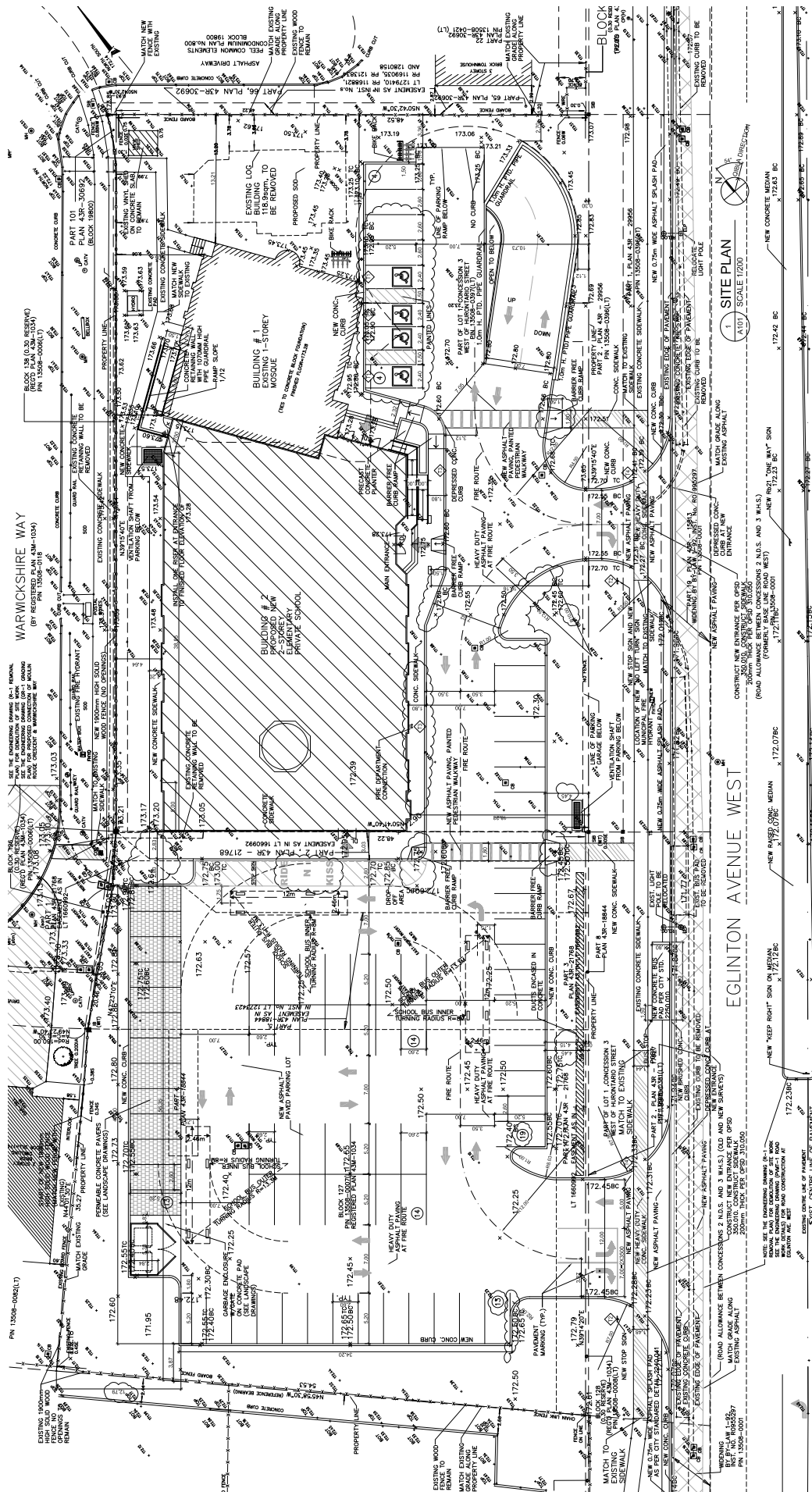
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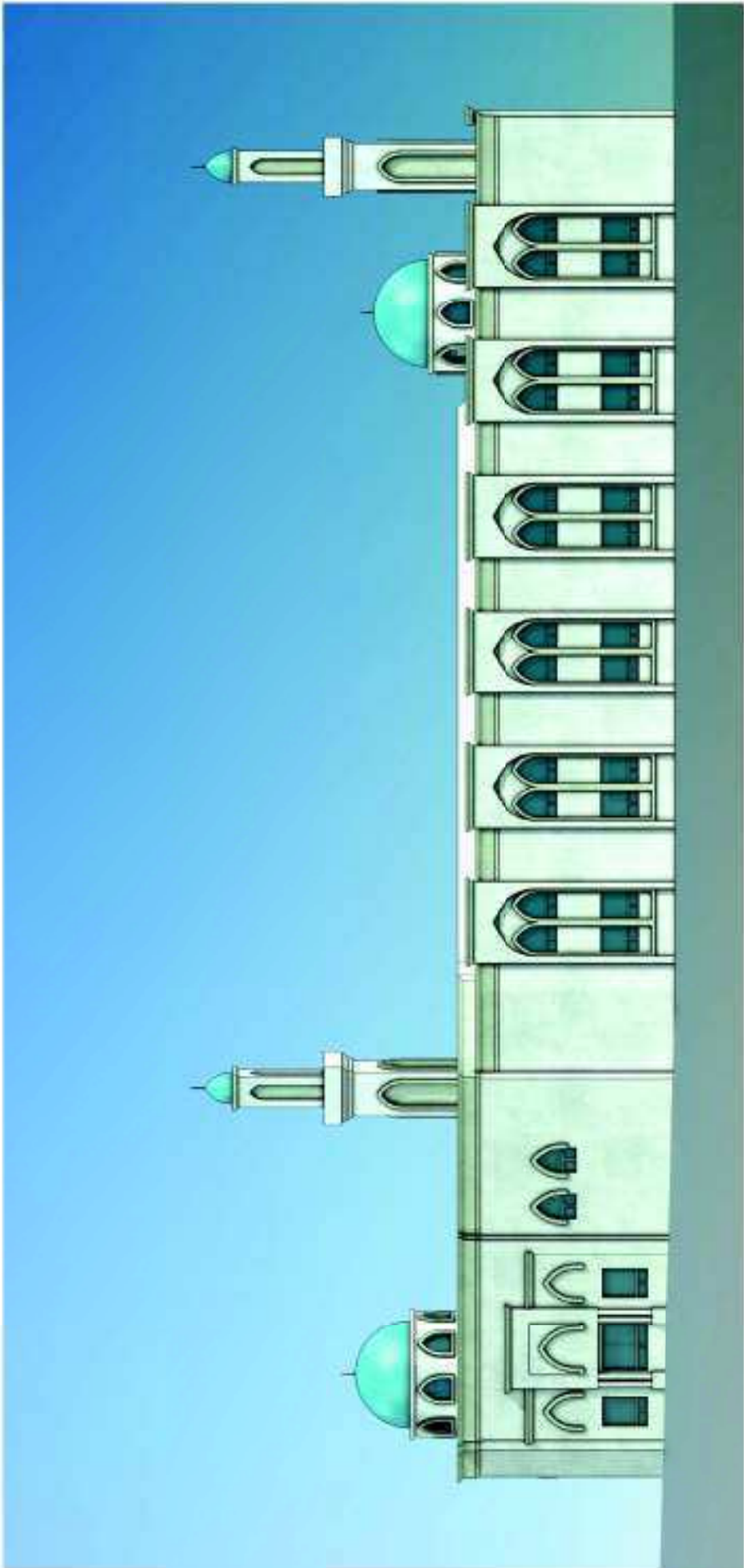
Recommendation PDC-0018-2013

1. That the Report dated February 26, 2013 from the Commissioner of Planning and Building regarding the application to change the Zoning from "RM4-58" (Residential) and "RM5-3" (Residential), to "RM4-Exception" (Residential) to permit a private elementary school in conjunction with a place of religious assembly, under file OZ 09/009 W6, Masjid-e Farooq-e Azam Mississauga and Makkah Holdings Inc., 935 Eglinton Avenue West and Block 127, 43M-1034, be received for information.

2. That the following correspondence be received:

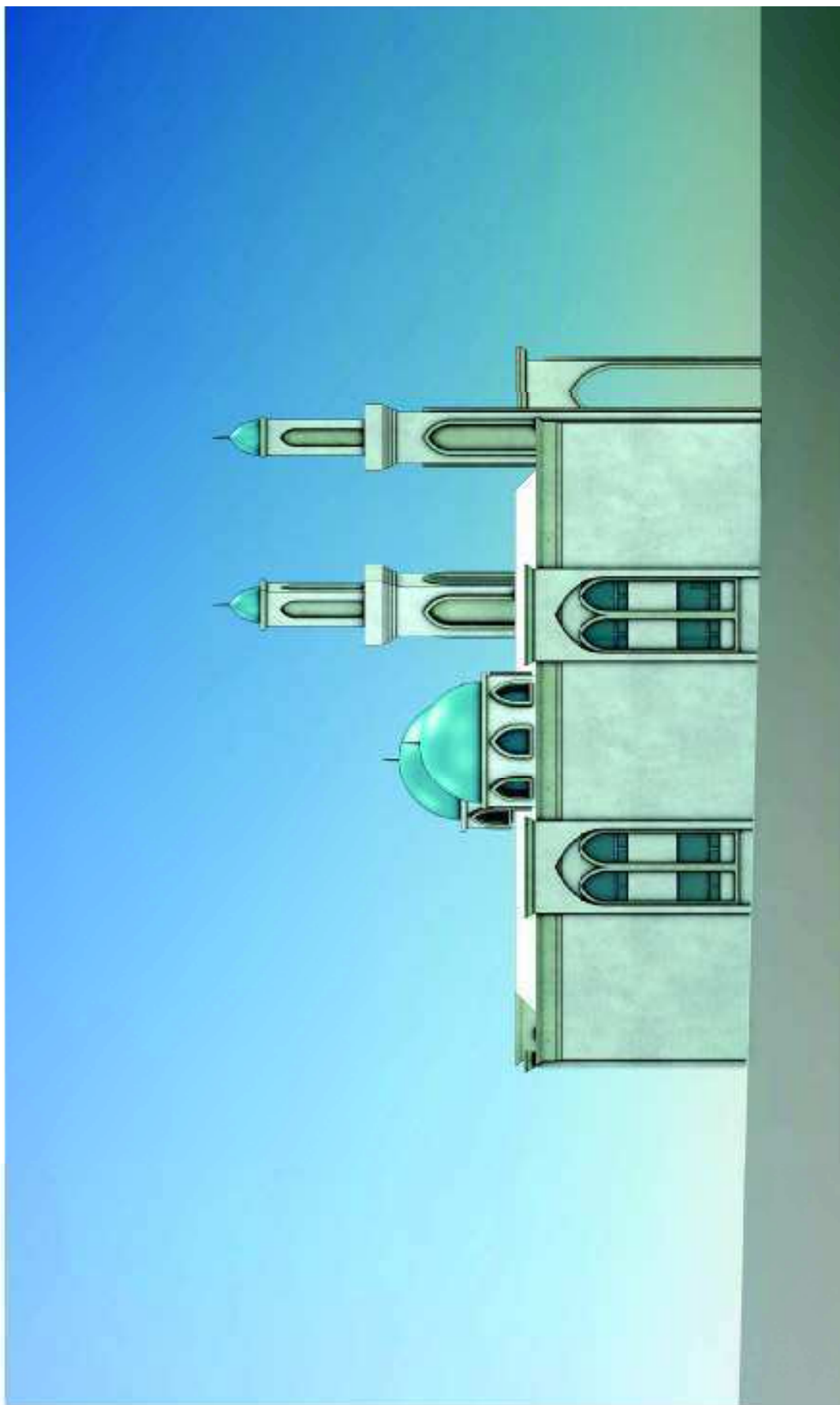
- (a) Correspondence of over 300 in support of the Rezoning Application
- (b) Correspondence in opposition of the Rezoning Application





NORTH ELEVATION

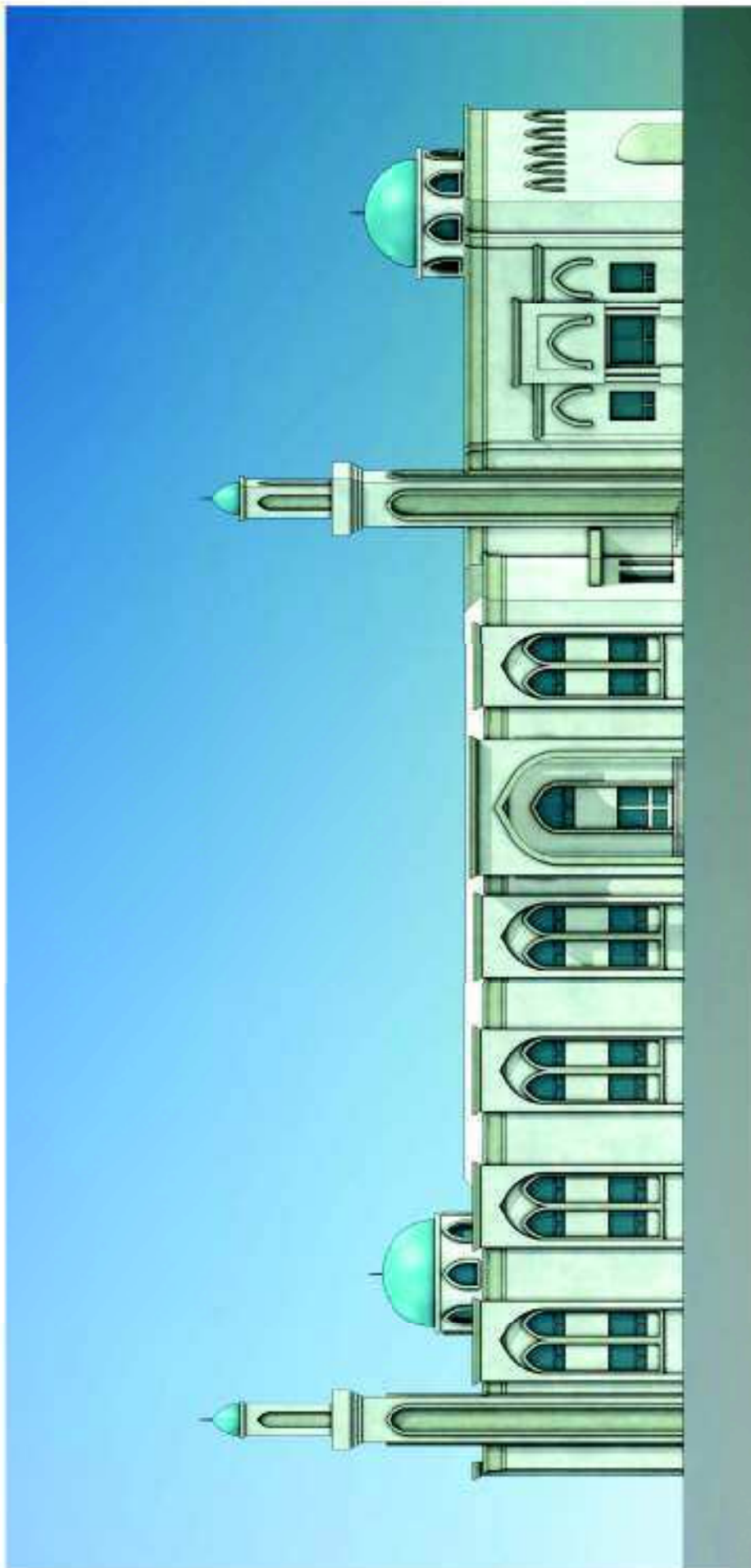
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A103



WEST ELEVATION

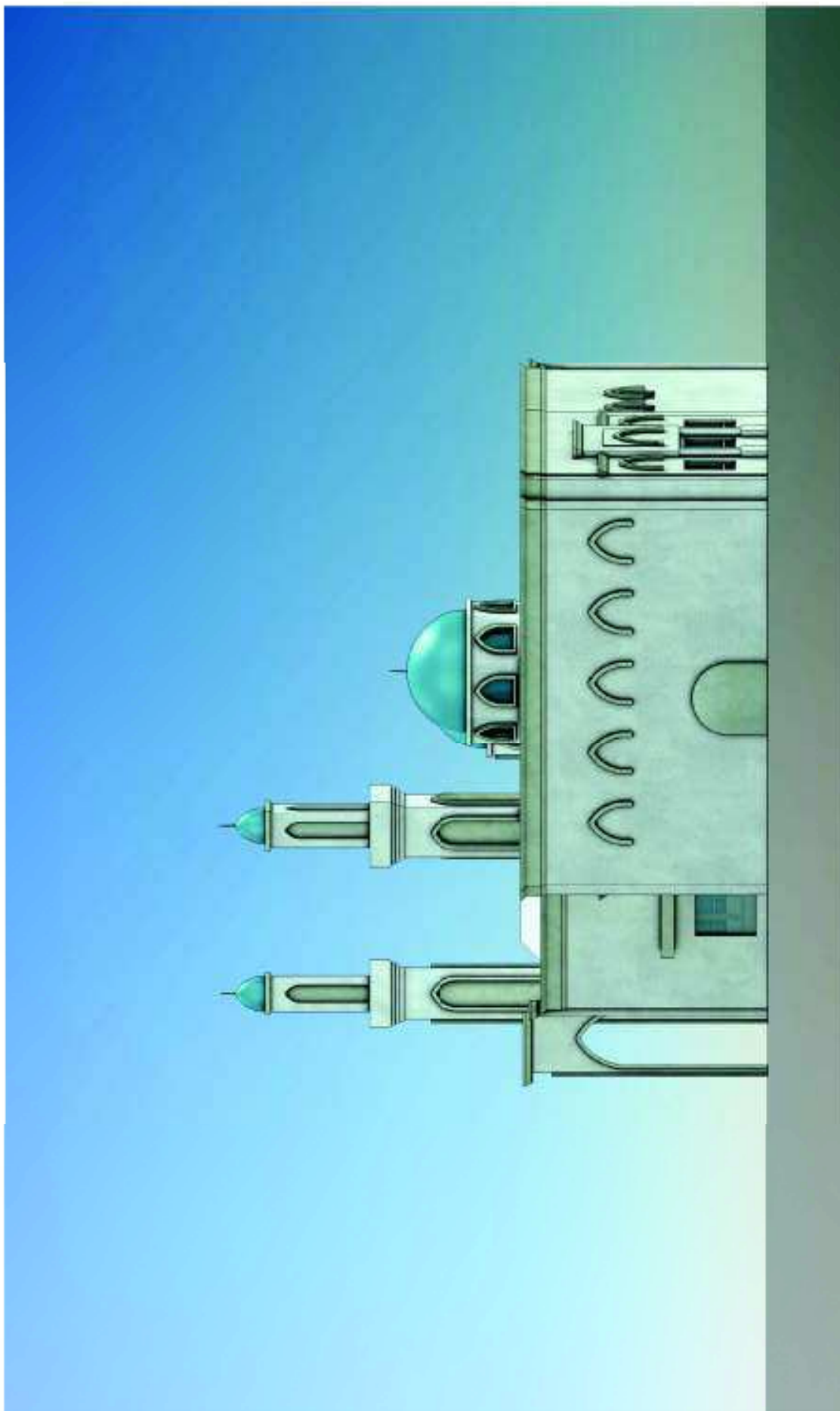
2

A103



SOUTH ELEVATION

3
A103



EAST ELEVATION

4

A103

Agency Comments

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

Agency / Comment Date	Comment
City Community Services Department – Parks and Forestry Division/Park Planning Section (November 18, 2015)	In comments dated September 7, 2012 and updated January 29, 2013, this Department notes that prior to by-law enactment, a cash contribution for street tree planting and bicycle signs 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 Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with City's Policies and By-laws.
City Transportation and Works Department (November 26, 2015)	<p>This department confirmed receipt of a satisfactory Environmental Site Screening Questionnaire and Declaration, Environmental Assessments and updated Noise Assessment. The Traffic Impact Study has analysed the traffic impacts as a result of the proposed development and has confirmed that predicted future traffic volumes generated from the subject lands can be accommodated within the existing road network with the proposed Eglinton Avenue median modification.</p> <p>In the event this application is approved by Council and prior to enactment of the Zoning By-law, the applicant will be required to address the following:</p> <ul style="list-style-type: none"> • Provide an updated Stormwater Management Report • Update drawings to include additional grading and servicing information • Provide revised plans with additional details for the completion/restoration of Moulin Rouge Crescent right-of-way • Provide a cost estimate and securities for the required Moulin Rouge Crescent and Eglinton Avenue modification works • Provide a reference plan to establish easements and reserves • Provide Construction Site Management Plan and temporary parking plan <p>Further detailed comments/conditions will be provided prior enactment of the Zoning By-Law pending receipt and review of the foregoing.</p>

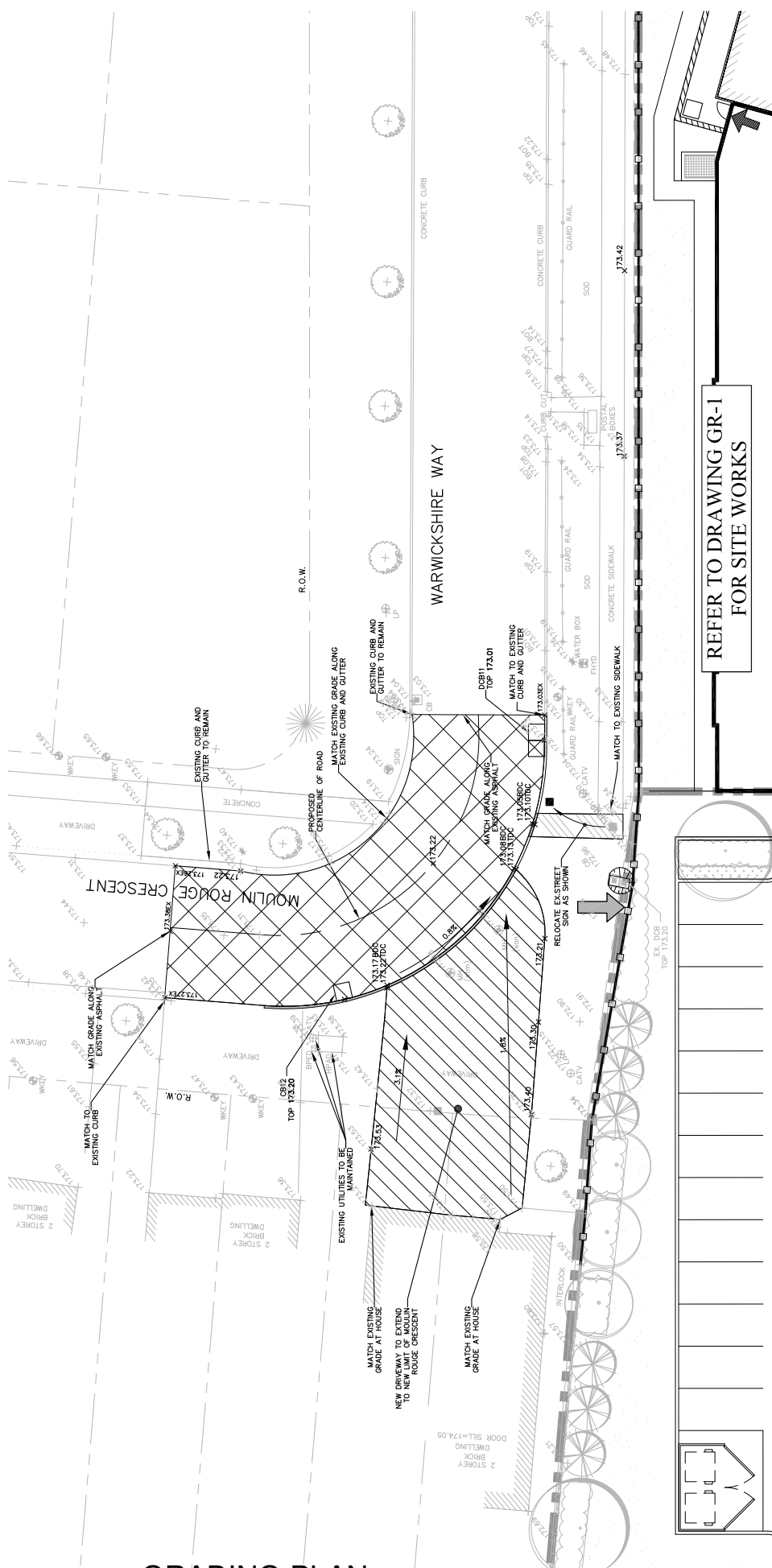
Masjid-e Farooq-e Azam Mississauga & Makkah Holdings Inc.

File: OZ 09/009 W6

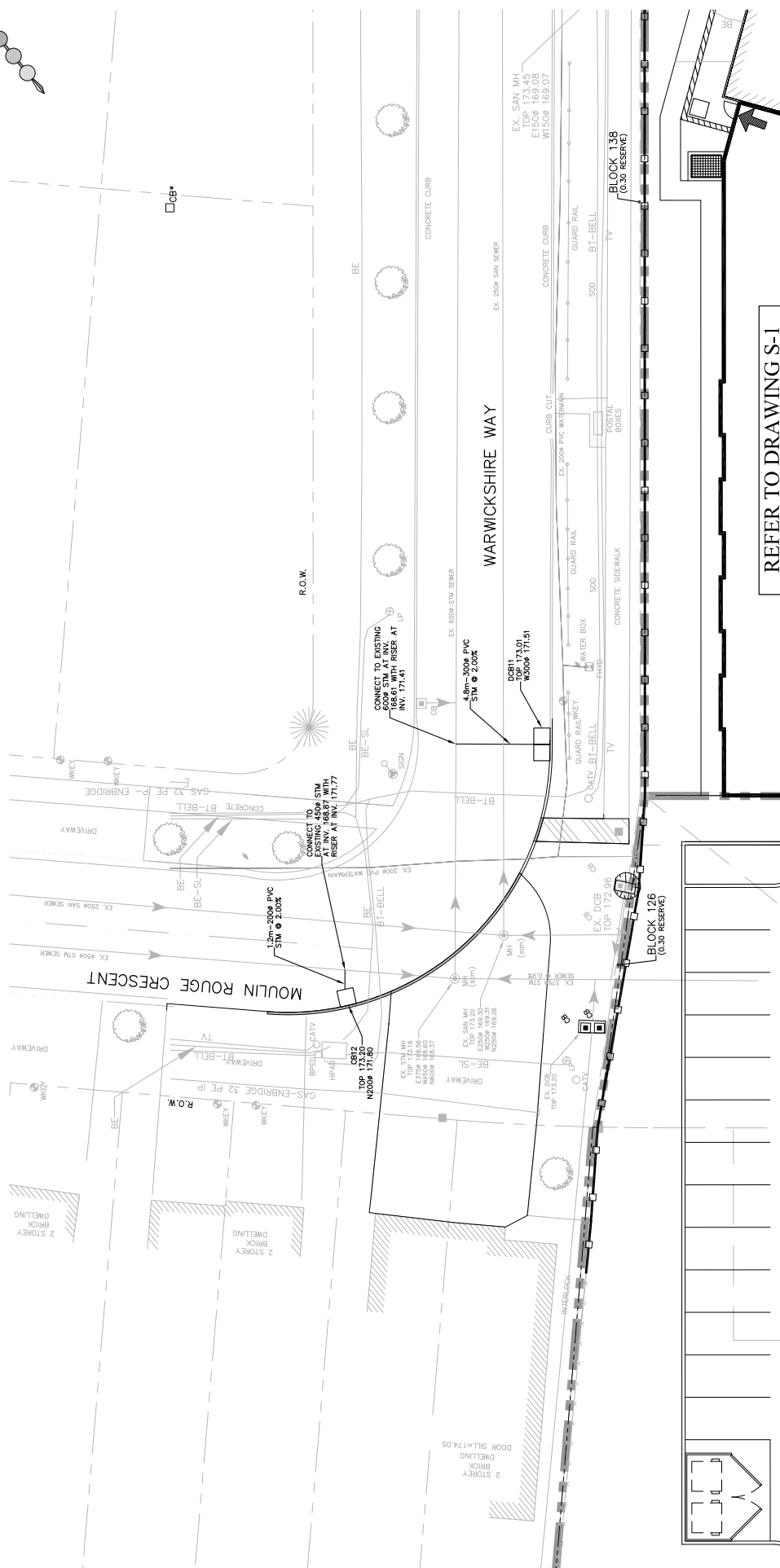
Agency / Comment Date	Comment
	The applicant will also be required to enter in to a Development Agreement with the City to address the implementation of the conditions of rezoning. Site specific details will be addressed through the processing of the Site Plan application.

Proposed Zoning Standards

Regulations	Section 2.1.9.2 Private School Zoning By-law Standard	RM4 Zoning By-law Standard	Proposed RM4-Exception
Minimum Landscape Area	40% of the lot area	40% of the lot area	35% of the lot area
Minimum Front Yard	The minimum front yard of the applicable Residential Zone	7.5 m (24.6 ft.)	16.12 m (52.9 ft.)
Minimum Interior Side Yard	The lesser of the height of the building or 10% of the width of the lot	The lesser of the height of the building or 10% of the width of the lot	13.2 m (43.3 ft.)
Minimum Rear Yard	7.5 m (24.6 ft.)	7.5 m (24.6 ft.)	4.5 m (14.8 ft.)
Total Lot Coverage	20% of the lot area	20% of the lot area	20% of the lot area
Maximum Gross Floor Area	190 m ² plus 0.2 times the lot area	0.23 (times the lot area)	0.42 (times the lot area)
Maximum Building Height	9.5 m (31.2 ft.)	10.7 m (35.1 ft.)	9.5 m (31.2 ft.)
Minimum setback of a parking area to a Residential Zone	4.5 m (14.8 ft.)	N/A	2.4 m (7.8 ft.)
Minimum Parking Required	83 spaces 62 spaces for school 21 spaces for mosque	N/A	167 spaces for school and mosque
Maximum Gross Floor Area – Private School	N/A	N/A	2160 m ² (23 250 sq. ft.)



GRADING PLAN



REFER TO DRAWING S-1
FOR SITE WORKS



Date: February 2, 2016	Originator's file:
To: Chair and Members of Planning and Development Committee	OZ 12/009 W3
From: Edward R. Sajecki, Commissioner of Planning and Building	Meeting date: 2016/02/22

Subject

RECOMMENDATION REPORT (WARD 3)

Applications to permit two new condominium apartment buildings of 12 and 15 storeys in addition to the two existing rental apartment buildings, 1850 Rathburn Road East and 4100 Ponytrail Drive, west side of Ponytrail Drive, north of Burnhamthorpe Road East

Owner: Forest Park Circle Ltd.

File: OZ 12/009 W3

Recommendation

That the Report dated February 2, 2016 from the Commissioner of Planning and Building recommending approval of the applications under File OZ 12/009 W3, Forest Park Circle Ltd., 1850 Rathburn Road East and 4100 Ponytrail Drive, west side of Ponytrail Drive, north of Burnhamthorpe Road East, be adopted in accordance with the following:

1. That the application to amend Mississauga Official Plan from **Residential High Density** to **Residential High Density – Special Site** to permit additional apartment buildings with a floor space index (FSI) of 1.6 be approved.
2. That the application to change the Zoning from **RA4-1 (Apartment Dwellings)** to **RA4-Exception (Apartment Dwellings)** to permit two new apartment buildings of 12 and 15 storeys with an FSI of 1.6 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 external agency concerned with the development;

- (b) In accordance with Council Resolution 152-98:
Prior to the passing of an implementing zoning by-law for residential development, the City of Mississauga shall be advised by the Peel District School Board that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the Peel District School Board for the subject development.
- (c) That the school accommodation condition as outlined in City of Mississauga Council Resolution 152-98 requiring that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the Dufferin-Peel Catholic District School Board not apply to the subject lands.
4. In the event these applications are approved by Council, that staff be directed to hold discussions with the applicant to secure community benefits, in accordance with Section 37 of the *Planning Act* and the Corporate Policy and Procedure on Bonus Zoning, and to return to Council with a Section 37 report outlining the recommended community benefits upon conclusion of the discussions.
5. That the decision of Council for approval of the rezoning application be considered null and void, and a new development application be required unless a zoning by-law is passed within 18 months of the Council decision.

Report Highlights

- Since the public meeting, a revision has been made to set the upper 12 storeys of the 15 storey building proposed at the front of the site, 10.5 m (34.4 ft.) back from the road.
- Staff are satisfied with the changes to the proposal and find it to be acceptable from a planning standpoint, and recommend that the applications be approved.

Background

A public meeting was held by the Planning and Development Committee on May 25, 2015, at which time a Planning and Building Department Information Report (Appendix 1) was presented and received for information. The Planning and Development Committee passed Recommendation PDC-0031-2015 which was adopted by Council and is attached as Appendix 2.

Comments

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

REVISED DEVELOPMENT PROPOSAL

Throughout the process, the applicant has been working on the issues raised by staff through the technical review and by the community at the community meetings held on October 17, 2012, September 18, 2013, February 24, 2015 and January 13, 2016 and at the public meeting. On July 2, 2015, the applicant submitted a revised development proposal along with supporting documents to the City for review. Further supporting documents, including a revised Functional Servicing Report, sun/shadow study and tree preservation plans were submitted on June 23, 2015 and September 16, 2015. Changes include the following:

- The internal road has been increased from 6 m (19.7 ft.) to 7 m (23 ft.) in width;
- The top 12 storeys of the 15 storey building have been shifted back from Ponytrail Drive and Rathburn Road East by 10.5 m (34.4 ft.) to meet the zoning by-law requirement.

COMMUNITY COMMENTS

The comments below were identified by residents through written correspondence and at community meetings held by Ward 3 Councillor Chris Fonseca and at the public meeting held by the Planning and Development Committee on May 25, 2015.

Comment

The proposed height, scale and density do not fit with the established, residential character of the area. The proposal for more development on the site is inappropriate as it is not located in an intensification area.

Response

These concerns are addressed in the Planning Comments section of this report.

Comment

Additional development should not be permitted as it will result in a lack of green space on site and will cut off access to the surrounding trails and open space.

Response

With the proposed addition of two condominium buildings on the site, the amount of landscaped area will be 69% of the site area (reduced from the current 76% landscaped area), which exceeds the zoning by-law standard of 40% of the site. The proposal was previously revised to minimize paved area in response to community concerns and staff comments.

Landscape plans, tree preservation plans and an arborist report have been submitted in support of the applications and have been found satisfactory by staff. Trees are proposed to be retained or replaced through the redevelopment. Should the applications be approved, protective tree hoarding will be required and landscape design will be reviewed by staff as part of the site plan approval process.

The Community Services Department has requested fencing be installed along Shaver's Trail (City owned greenbelt) as it is a standard requirement when private lands are developed next to greenbelt lands. Should the applications be approved, the walkway system, fence openings and layouts will be examined as part of the subsequent site plan application.

Separately from these applications, there are currently several trees on site that have been marked for removal due to emerald ash borer damage.

Comment

The additional population will add pressure to local infrastructure and services.

Response

Studies and reports evaluating the impact of the development on local infrastructure and services have been submitted in support of the applications and have been found to be acceptable. A further review of capacity for a larger area within Ward 3 was undertaken by the Region and the City and is found in Appendix 5: Ward 3 Capacity Analysis. The study looked at the cumulative impact if a number of sites within the Ward 3 area were to develop and intensify. The study examined the properties on Burnhamthorpe Road East from the eastern boundary to Cawthra Road and north to Eastgate Parkway. It is estimated that there would be almost 8,000 more people if all of the underutilized sites were to develop. The study found that the roads, water, sewer and parks infrastructure are adequate to accommodate the additional people if all of the sites redeveloped. Local improvements may be necessary, but overall, the infrastructure is adequate to accommodate growth.

Comment

The development may cause additional flooding on the site and surrounding lands.

Response

The revised Functional Servicing and Stormwater Management Report (FSR) (dated September, 2015) includes a proposed infiltration system through underground storage chambers that will control the flow of storm water from the site. During the processing of the site plan application, staff will identify additional storm water management techniques through the site drainage and landscape design. Transportation and Works staff have no objection to the proposed development based on the revised FSR and as per the City's requirements there will be no increase in flows to the existing storm infrastructure as a result of the proposed development.

Comment

The added traffic, parking demand and new entrance configuration will be unacceptable.

Response

A Traffic Impact Study was submitted, reviewed by staff and found to be acceptable. Transportation and Works Staff are requiring that the southerly site access be aligned with

Tapestry Trail in order to improve safety and to reduce conflicting turning movements. This is reflected in the current proposal. The surrounding intersections (including Burnhamthorpe Road East and Ponytrail Drive and Rathburn Road East and Ponytrail Drive) have been analyzed and are expected to meet the City standards for level of service without a significant impact to traffic. The applicant will be responsible for making modifications to the centre median on Ponytrail Drive in order to provide left turn storage for cars turning into the site. Parking will be provided in accordance with the City's Zoning By-law. Additional information is provided in the Updated Agency and City Department Comments section in this report.

Comment

The existing buildings are not well maintained and the problem will not improve with additional development.

Response

A property standards inspection was completed by City By-law Enforcement staff on March 9, 2015. As a result of this inspection, a property standards order was issued requiring that the up/down elevator buttons be repaired so that they light up on each floor when in use. This contravention was corrected March 11, 2015 and no other issues were found. City By-law Enforcement also visited the site in January, 2016 and issued orders to address water penetration issues in the underground parking garage and to remove trees that are dead and affected by emerald ash borer.

Through the development of the subject site, the applicant proposes to make upgrades to the existing buildings (including improvements to the indoor amenity areas, lobby and common spaces) and improvements to the outdoor amenity areas, which are to be shared by the tenants in the existing buildings and the occupants of the proposed condominium buildings. The shared outdoor amenity space and common elements will be managed through a shared facilities agreement that would address reciprocal costs and maintenance. This agreement and easements required for reciprocal access would be required by the City at the condominium registration stage and addressed in the development agreement.

A centrally located, shared amenity space has been identified on the concept plans submitted in support of these applications. The details of the amenity space, improvements to the existing site and buildings and any improvements required to meet current property standards by-law standards will be addressed in the development agreement and implemented at the site plan approval stage.

Comment

The shadowing and overlook from the buildings will impact the surrounding homes and open space.

Response

This concern is addressed in the Planning Comments section of this report.

Comment

The added development will adversely impact the pedestrian environment surrounding the site.

Response

A pedestrian level wind study was submitted in support of the applications, which determined that there would be no significant wind impact to the pedestrian environment. The study recommended wind mitigation such as the installation of screens for specific areas of the proposed site (ground level patios and the outdoor terrace). The pedestrian connections and ground level environment as proposed met current City standards. Should the applications be approved, the walkway system, screening and layout will be examined as part of the site plan application.

Comment

If approved, the project will create a precedent for development of similar sites.

Response

Each development application is reviewed on its own merits, which include demonstrating compatibility with the area context, conforming with official plan policies, providing supporting technical information and, illustrating principles of good planning and design.

Comment

Now that the development is proposed to be in two towers, the remaining green space will be developed with medium density residential, similar to the original proposal which proposed additional buildings and density.

Response

The proposed zoning by-law and official plan amendment will be written to only permit the two additional buildings. Any additional development on the site would require further planning applications including a public process and would be evaluated on its own merits.

UPDATED AGENCY AND CITY DEPARTMENT COMMENTS**Region of Peel**

Comments updated November 16, 2015, state that adequate capacity has been confirmed for water and waste water services for the proposed development. Should the applications be approved, a revised Functional Service Report is required to correct minor technical details. The Region will require the submission and review of all easements and title documents as well as site servicing drawings prior to site plan approval.

City Transportation and Works Department

Comments updated December 10, 2015 from the Transportation and Works Department state that the Traffic Impact Study analysed the traffic impacts and has confirmed that predicted

future traffic volumes generated as a result of the proposed development can be accommodated within the existing road network.

The Noise Impact Study confirmed that with the installation of central air conditioning, special building measures and registration of the appropriate noise warning clauses, compliance with the City/Ministry of the Environment and Climate Change Guidelines will be achieved.

In the event this application is approved by Council, prior to the enactment of the Zoning By-law, the applicant will be required to finalize certain grading and servicing details, and make satisfactory arrangements with Transportation and Works Department for road improvement works necessary to support access to this site. In addition, the owner shall enter into a development agreement with the City to address the implementation of the conditions of rezoning. Site specific details will be addressed through the processing of a site plan application.

City Community Services Department – Parks and Forestry Division/Park Planning Section

Comments updated November 26, 2015 from Park Planning state that should these applications be approved, fencing, protective hoarding, and associated securities for the adjacent greenbelt lands will be required. Arrangements will be made to secure for any clean-up and reinstatement works that may be required within the adjacent greenbelt lands.

Prior to by-law enactment, a cash contribution for street planting will be required. Further, prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the *Planning Act* and in accordance with City's Policies and By-laws. These monies are used to purchase additional parkland where possible and contribute to the upgrading of existing park facilities.

PLANNING COMMENTS

Provincial Policy Statement (PPS) and Growth Plan for the Greater Golden Horseshoe

The *Provincial Policy Statement* (PPS) contains the Province's policies concerning land use planning for Ontario and all planning decisions are required to be consistent with these policies. The PPS encourages intensification of land within urban areas, promotes efficient use of infrastructure and public facilities, encourages mixed use developments and the support of public transit.

The *Provincial Growth Plan for the Greater Golden Horseshoe* (Growth Plan) directs municipalities to "identify the appropriate type and scale of development in intensification areas" and states that intensification areas will be planned and designed to "achieve an appropriate transition of built form to adjacent areas". The PPS and Growth Plan indicate that development must be governed by appropriate standards including density and scale. These policies are implemented through Mississauga's Official Plan.

The proposed development adequately takes into account the existing context as referenced in the Official Plan section below.

The proposal requires an amendment to the Mississauga Official Plan Policies for the Rathwood Character Area to permit additional high density residential development at a floor space index (FSI) of 1.6.

Section 19.5.1 of Mississauga Official Plan provides the following criteria for evaluating site specific Official Plan Amendments:

- ***Will the proposal adversely impact or destabilize the overall intent, goals and objectives of the Official Plan; and the development or functioning of the remaining lands which have the same designation, or neighbouring lands?***
- ***Are the lands suitable for the proposed uses, and are the proposed land uses compatible with existing and future uses of the surrounding lands?***
- ***Are there adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed application?***
- ***Has 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 been provided by the applicant?***

Planning staff have undertaken an evaluation of the criteria against these proposed development applications. The approval of the applications will not adversely impact the overall, goals and objectives of Mississauga Official Plan.

The proposal meets the intent of the current high density residential designation as it permits apartment buildings on the lands. The lands are located within the Rathwood Neighbourhood. In the City Structure policies of the official plan, Neighbourhoods are not identified as the focus for intensification but the official plan allows for modest additional growth and intensification where the proposal is compatible with and enhances the surrounding development. Across the City, in neighbourhoods outside of nodes and the downtown, the FSI of apartment sites ranges from 0.05 to 5.26. The proposed density of 1.6 fits within this range.

The official plan states that residential intensification within Neighbourhoods should generally occur through infilling and that where higher density uses are proposed, they should be located on existing apartment sites. The proposal represents appropriate intensification on a large property with two existing apartment buildings.

The Neighbourhood policies in the official plan also state that proposals for additional development on lands with existing apartment buildings should be medium density and limited to four storeys in height. This policy requires that any development over four stories go through an Official Plan Amendment so that it can be evaluated against the policies of the plan including

the criteria noted above. Through the processing of the official plan amendment and rezoning applications and in consultation with the community, the applicant amended the proposals submitted in 2012 and 2013. The previous proposal showed a combination of taller apartment buildings with medium density townhouses and low-rise apartment buildings within and along the perimeter of the site. The current proposal shows two taller buildings with smaller footprints.

The proposal maintains and enhances the park like setting valued by residents with clusters of generous landscaping that define the existing context. The hydro corridor to the west and the trail system to the south provide a buffer to the surrounding residential communities. The proposed buildings do not cause any significant adverse shadow or wind impacts to the surrounding developments and open space trail. The building at the front of the site will not cause impact to the residential uses as it is across from the commercial plaza. This proposal will not impact future uses of the surrounding lands.

The proposed building setbacks and building separation distances (from 29 m (95 ft.) to 32 m (105 ft.)) between the new buildings and relative to the existing buildings are appropriate. The proposed building heights are lower than the heights of the existing buildings on the site and have been located to respect the surrounding context by preserving view corridors from the existing buildings. As well, the proposed buildings maintain adequate separation distances and building forms to achieve an appropriate transition to surrounding developments.

The applicant will be required to demonstrate and implement improvements to the rental buildings and are proposing an updated shared amenity space.

As noted in the comments regarding the capacity study and the site specific transportation study and FSR, there is adequate capacity in the system to accommodate the development. There will also be some local improvements undertaken at the applicant's cost to address the road improvements including the relocation of the south driveway to line up with Tapestry Trail. As well, the development supports efficient use of infrastructure, is well-served by bus routes including access to the Burnhamthorpe bus route that connects to the Islington subway station. Additionally, the development introduces a different form and tenure of housing to those wishing to relocate to or remain in the neighbourhood.

The applicant has provided a planning justification report and staff concur with the conclusion that the applications represent good planning.

Zoning

The proposed **RA4-Exception (Apartment Dwellings)** zone is appropriate to accommodate the two additional apartment buildings with heights of 12 and 15 storeys and a FSI of 1.6 times the site area. The permitted uses and regulations shall be as specified for an RA4 zone and shall reflect the concept plan shown in Appendix 3.

Bonus Zoning

Council adopted Corporate Policy and Procedure 07-03-01 – Bonus Zoning on September 26, 2012. 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 height and/or density are deemed to be good planning by Council through the approval of a development application. Should these applications be approved by Council, the recommendations contained in this report request Council to direct staff to hold discussion with the applicant to secure community benefits and return to Council with a Section 27 report outlining the recommended community benefits upon conclusion of the discussions.

Site Plan

Prior to development occurring on the lands, the applicant will be required to obtain Site Plan approval. A site plan application has not been submitted to date. While the applicant has worked with City departments to address site plan related issues through review of the Rezoning concept plan, the site plan will further address matters related to tree preservation, landscaping, additional stormwater management and low impact development techniques, urban design and wind protection measures.

Financial Impact

Development charges will be payable in keeping with the requirements of the Development Charges By-law of the City. Also, the financial requirements of any other commenting agency must be met.

Conclusion

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

1. The proposal is compatible with the surrounding land uses based on the existing apartment buildings on the site and the complementary nature of the design which achieves appropriate built form relationships with its context.
2. The proposed official plan provisions and zoning standards are appropriate to accommodate the requested uses based on the general site design.

Attachments

Appendix 1: Information Report

Appendix 2: Recommendation PDC-0031-2015

Appendix 3: Revised Concept Plan

Appendix 4: Revised 3D views

Appendix 5: Ward 3 Capacity Analysis



Edward R. Sajecki

Commissioner of Planning and Building

Prepared by: Aiden Stanley, Development Planner



Corporate Report

Clerk's Files

 Originator's
Files OZ 12/009 W3

DATE: May 5, 2015

TO: Chair and Members of Planning and Development Committee
Meeting Date: May 25, 2015

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: Applications to permit two new condominium apartment
buildings of 12 and 15 storeys in addition to the two existing
rental apartment buildings
1850 Rathburn Road East and 4100 Ponytrail Drive
Northwest of Burnhamthorpe Road East and Ponytrail Drive
Owner: Forest Park Circle Ltd.

Public Meeting/Information Report

Ward 3

RECOMMENDATION: That the Report dated May 5, 2015, from the Commissioner of Planning and Building regarding applications by Forest Park Circle Ltd. to permit two new condominium apartment buildings of 12 and 15 storeys in addition to the two existing rental apartment buildings under File OZ 12/009 W3, at 1850 Rathburn Road East and 4100 Ponytrail Drive, be received for information.

REPORT HIGHLIGHTS:

- This report has been prepared for a public meeting on May 25, 2015 to hear from the community;
- The project does not conform with the Residential High Density land use designation and requires an official plan amendment and rezoning;
- Community concerns identified to date relate to traffic, height and density, current condition of the site, impact on the surrounding neighbourhood and servicing;

- Prior to the next report, matters to be addressed include review of the site and building layout to ensure compatibility with the surrounding neighbourhood and the resolution of technical requirements.

BACKGROUND:

The applications have been circulated for technical comments and a number of community meetings have been held based on different concepts for the development of the site. The purpose of this report is to provide preliminary information on the applications and to seek comments from the community.

COMMENTS:**THE PROPERTY AND THE NEIGHBOURHOOD**

Size and Use	
Frontages:	379 m (1,243.44 ft.) on Rathburn Road East
Depth:	256 m (840 ft.) adjacent to utility corridor 213 m (698.82 ft.) adjacent to Shaver Trail
Gross Lot Area:	3.74 ha (9.24 ac.)
Existing Uses:	Two 18 storey rental apartment buildings

The property is located in a mature neighbourhood, which contains mainly residential uses with retail commercial uses, a trail system and utility corridor. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

North: Detached homes, townhomes and a one storey retail commercial plaza
 East: Detached dwellings and townhomes
 South: Shaver Trail, detached homes and townhomes
 West: Utility corridor, Shaver Trail, townhomes

DETAILS OF THE PROJECT

The project consists of two condominium apartment buildings: one 12 storey building with 129 units internal to the site and one 15 storey, 149 unit building along the Rathburn Road East frontage. Both buildings have a three storey podium. Two existing 18 storey rental apartment buildings will remain on the site. The proposal includes a shared outdoor amenity space for all buildings. The southerly driveway to the site is proposed to be realigned with Tapestry Trail and both driveways will connect to an internal roadway that will provide access for all of the buildings. Resident parking will be underground and visitor parking will be on the ground level.

Development Proposal	
Applications submitted:	Received: May 22, 2012 Deemed complete: June 19, 2012 Revised: December 12, 2012 Revised: May 21, 2013 Revised: December 5, 2014
Developer/ Owner:	Forest Park Circle Ltd.
Applicant:	Urban Strategies Inc./Glen Schnarr and Associates Inc.
Number of Units:	Existing: 384 Proposed: 278 Total: 662
Height:	12 and 15 storeys
Total Lot Coverage:	Existing: 5.35% Proposed: 12.4%
Floor Space Index:	Existing: 0.96 Proposed: 1.6
Total Landscaped Area:	Existing: 75.9% Proposed: 69.3%
Gross Floor Area:	Existing: 35 720 m ² (384,486.88 sq. ft.) Proposed: 24 295 m ² (261,509.20 sq. ft.) Total: 60 015 m ² (645,996.08 sq. ft.)

Development Proposal		
Anticipated Additional Population:	695* *Average household sizes for all units (by type) for the year 2011 (city average) based on the 2013 Growth Forecasts for the City of Mississauga.	
Parking	Required	Proposed
Resident spaces	373	373
Visitor spaces	56	56
Total	429	429

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

LAND USE CONTROLS

The applications are not in conformity with the land use designation. The applicant has requested that the land be redesignated to "Residential High Density – Special Site" to allow the project to go forward.

A rezoning is proposed from "**RA4-1 (Apartment Dwelling-Exception)**" to "**RA4-Exception (Apartment Dwellings)**" to permit apartment dwellings with a FSI of 1.6 in accordance with the proposed zone standards contained within Appendix I-10.

Detailed information regarding the Official Plan and Zoning is found in Appendices I-9 and I-10.

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 height and/or density are deemed to be good planning by Council through the approval of a development application. Should these applications be approved by Council, staff will report back to Planning and Development Committee on the provision of community benefits as a condition of approval.

WHAT DID THE COMMUNITY SAY?

Three community meetings were held by Ward 3 Councillor, Chris Fonseca - October 17, 2012; September 18, 2013 (based on previous concepts); and February 24, 2015 (based on the current, revised proposal). A petition containing 660 signatures in opposition to the proposal was submitted by the Ponytrail Development Opposition Committee on November 5, 2012.

Issues raised by the community are listed below. They will be addressed along with issues raised at the public meeting in the Recommendation Report, which will come at a later date.

- The proposed height, scale and density do not fit in with the established, residential character of the area;
- Additional development should not be permitted as it will result in a lack of green space on site and will cut off access to the surrounding trails and open space;
- The additional population will add pressure to local infrastructure and services;
- The development may cause additional flooding on the site and surrounding lands;
- The added traffic, parking demand and new entrance configuration will be unacceptable;
- The existing buildings are not well maintained and the problem would continue with additional development;
- The shadowing and overlook from the buildings will impact the surrounding homes and open space;
- The added development will adversely impact the pedestrian environment surrounding the site.

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 matters will have to be addressed:

- Are the policies and principles of Mississauga Official Plan maintained by this project?
- Is the proposal compatible with the character of the area given the project's height, massing, density, landscaping, building configuration and technical requirements?
- Are the proposed design details and zoning standards appropriate?
- Have all other technical requirements and studies related to the project been submitted and found to be acceptable?

OTHER INFORMATION

Forest Park Circle Ltd. have submitted a number of studies and reports in support of the applications. The list is below and the studies are available for review.

- Planning Justification Report
- Functional Servicing Report
- Traffic Impact and Parking Report
- Sun/Shadow Study
- Preliminary Environmental Noise Report
- Green Development Initiatives Letter
- Wind Study
- Tree Inventory Plan/Arborist Report
- Architectural Drawings and Concept Plan
- Draft Official Plan Amendment
- Draft Zoning By-law Amendment

Development Requirements

There are engineering matters including: servicing, grading, noise control, construction, and stormwater management which will require the applicant to enter into agreements with the City. The development will also require the submission and review of a draft plan of condominium and an application for site plan approval.

FINANCIAL IMPACT:

Development charges will be payable as required by the Development Charges By-law of the City. Also the financial

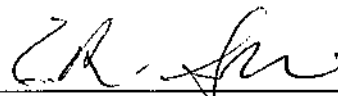
requirements of any other external commenting agency must be met.

CONCLUSION:

Most agency and City department comments have been received. The Planning and Building Department will make a recommendation on this project after the public meeting has been held and all the issues are resolved.

ATTACHMENTS:

Appendix I-1: Site History
Appendix I-2: Aerial Photograph
Appendix I-3: Excerpt of Mississauga Official Plan
Appendix I-4: Existing Land Use and Proposed Zoning Map
Appendix I-5: Concept Plan
Appendix I-6: Exterior Views
Appendix I-7: Agency Comments
Appendix I-8: School Accommodation
Appendix I-9: Summary of Existing and Proposed Mississauga Official Plan policies
Appendix I-10: Summary of Existing and Proposed Zoning Provisions and Applicant's Draft Zoning By-law Amendment
Appendix I-11: General Context Map



Edward R. Sajecki
Commissioner of Planning and Building


Prepared By: Aiden Stanley, Development Planner

Forest Park Circle Ltd.**File: OZ 12/009 W3****Site History**

- December 27, 1973 – Council adopted the recommendation in the Corporate Report dated December 6, 1973 recommending the approval of an application under File OZ-78-73 for an amendment to the Zoning By-law for the Morenish Subdivision to allow for the development of 400 acres of lands north of Burnhamthorpe Road, west of the Etobicoke Creek in accordance with Draft Plan of Subdivision T-2366 to permit detached dwellings, semi-detached dwellings, row dwellings, apartment dwellings, commercial service establishments, parks, conservation lands and a school site.
- June 20, 2007 – Zoning By-law 0225-2007 came into force and effect except for those sites which have been appealed. The subject lands are zoned "RA4-1" (Apartment Dwellings – Exception).
- November 14, 2012 – Mississauga Official Plan came into force except for those site/policies which have been appealed. The subject lands are designated "Residential High Density" in the Rathwood Neighbourhood Character Area.



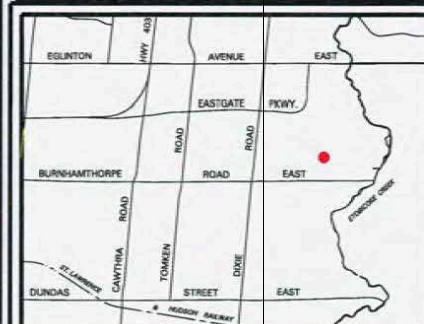
LEGEND:

 SUBJECT LANDS

NOTE: DATE OF AERIAL PHOTO IS MAY 2014.



SUBJECT: **FOREST PARK CIRCLE LTD.**



FILE NO:
OZ 12/009 W3

DWG. NO:
12009A

SCALE:
1:3000

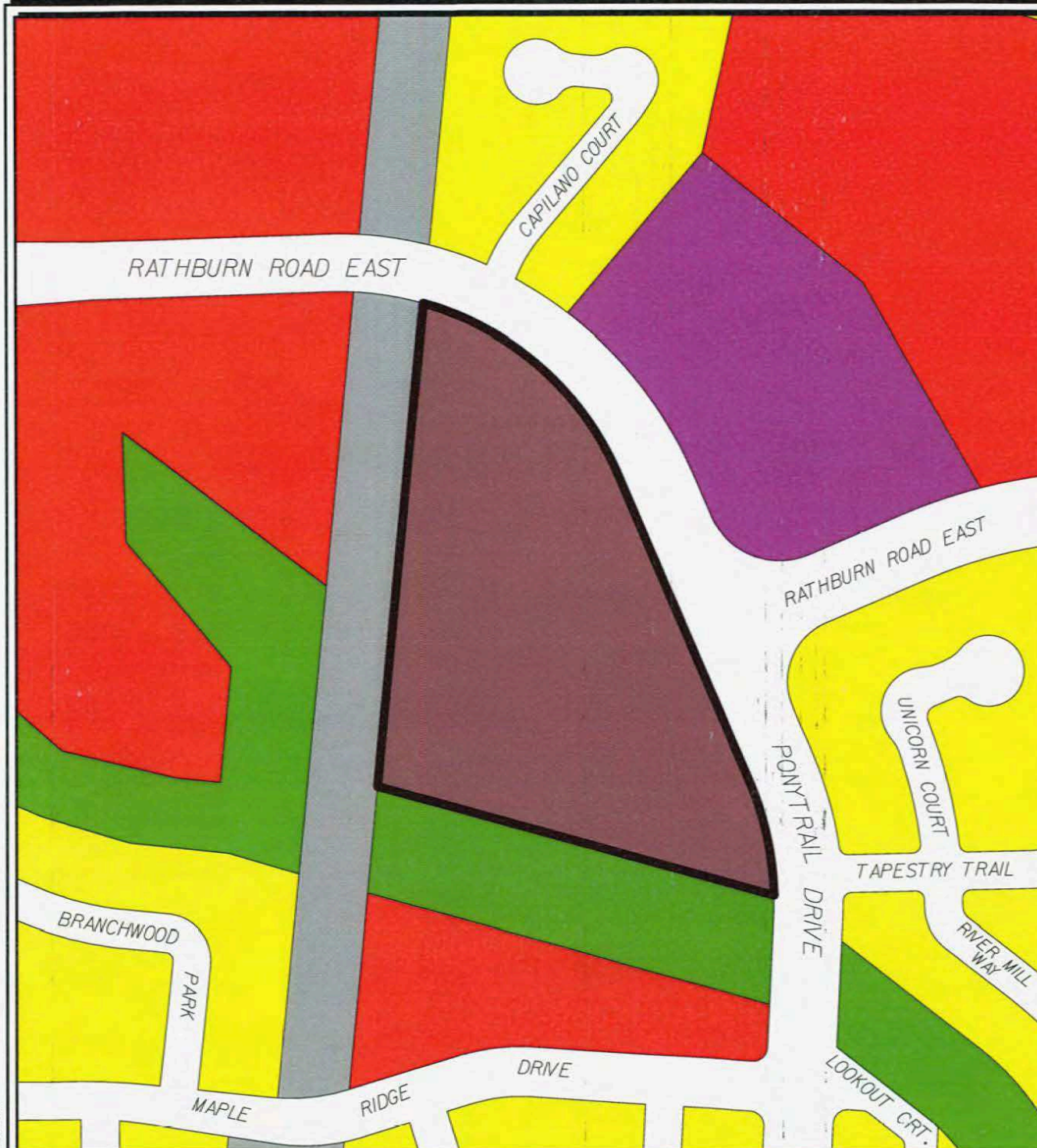
PDC DATE:
2015 05 25

DRAWN BY:
B. KRUGER

APPENDIX I-2

MISSISSAUGA
Planning and Building

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T&W, Geomatics



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	
Neighbourhood	

SUBJECT LANDS



SUBJECT:

FOREST PARK CIRCLE LTD.



FILE NO:
OZ 12009 W3

DWG. NO:
12009L

SCALE:
1:3000

DATE:
2015 05 25

DRAWN BY:
B. KRUGER

APPENDIX 1-3



MISSISSAUGA

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LEGEND:



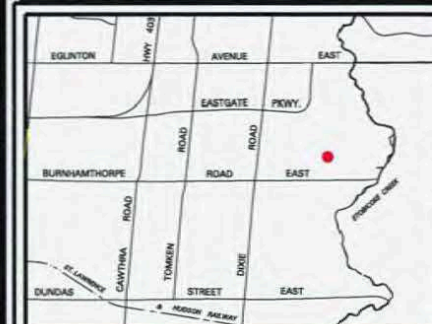
PROPOSED OFFICIAL PLAN AMENDMENT FROM 'RESIDENTIAL HIGH DENSITY' TO 'RESIDENTIAL HIGH DENSITY - SPECIAL SITE' AND PROPOSED REZONING FROM 'RA4-1 (APARTMENT DWELLINGS)' TO 'RA-4-EXCEPTION' (APARTMENT DWELLINGS) TO PERMIT A 12 STOREY CONDOMINIUM APARTMENT BUILDING AND A 15 STOREY CONDOMINIUM APARTMENT BUILDING WITH A TOTAL OF 278 RESIDENTIAL UNITS.

NOTE: THIS IS NOT A PLAN OF SURVEY.



SUBJECT:

FOREST PARK CIRCLE LTD.



FILE NO:
OZ 12/009 W3

DWG. NO:
12009R

SCALE:
1:3000

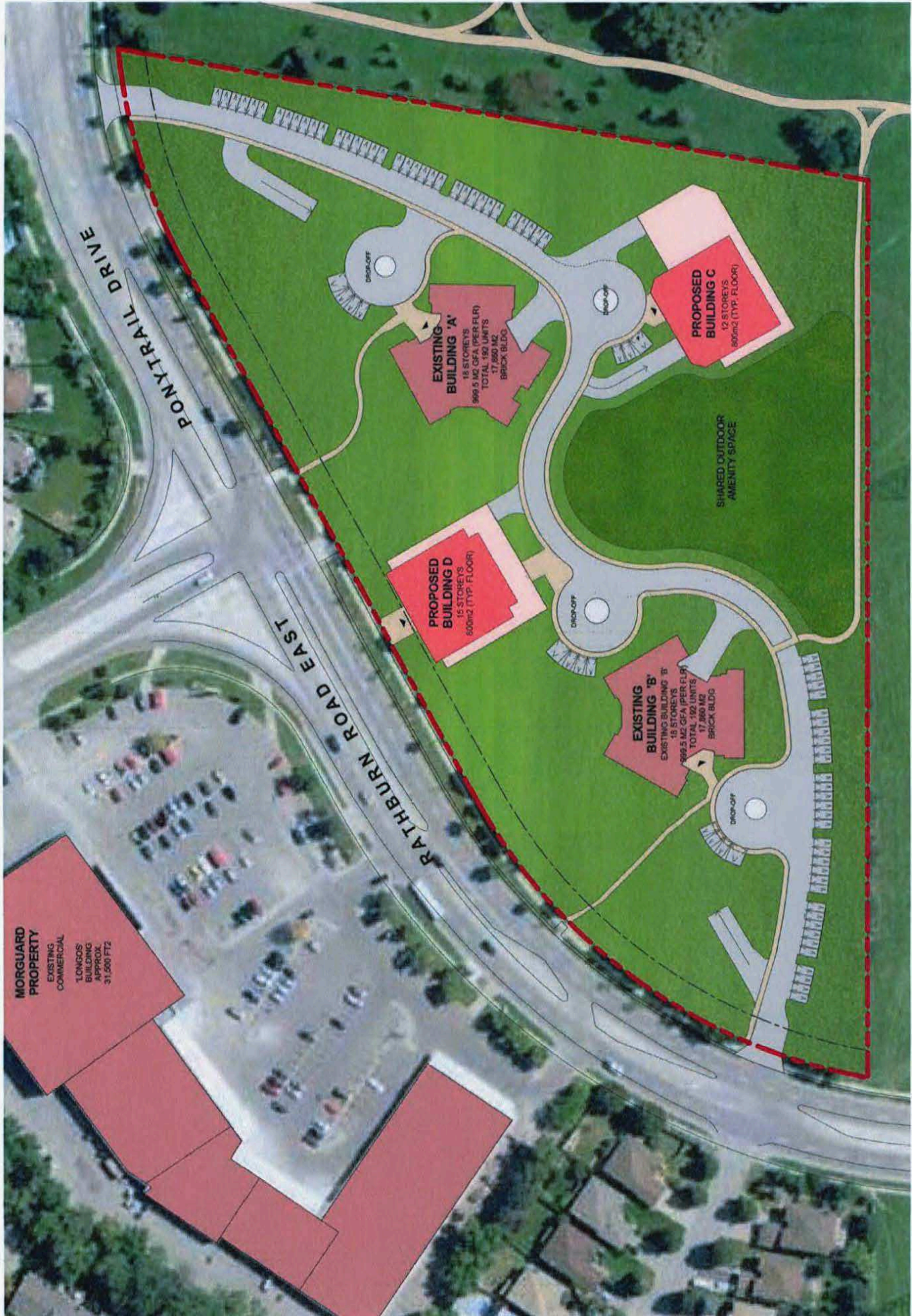
PDC DATE:
2015 05 25

DRAWN BY:
B. KRUGER

APPENDIX 14

MISSISSAUGA
Planning and Building

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APPENDIX I-6

PAGE 1



APPENDIX I-6
PAGE 2



Forest Park Circle Ltd.

File: OZ 12/009 W3

Agency Comments

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

Agency / Comment Date	Comment
Region of Peel (January 30, 2015)	<p>There is an existing 450 mm (17.71 in.) and 250 mm (9.84 in.) diameter watermain on Ponytrail Drive. There is an existing 400 mm (15.75 in.) diameter sanitary sewer and a 300 mm (11.81 in.) diameter watermain on Rathburn Road East.</p> <p>Prior to the Recommendation report, the applicant must submit an addendum to the Functional Servicing Report with a detailed calculation of the sanitary flows, demand table and hydrant flow test information.</p> <p>Front-end waste collection will be provided by the Region of Peel provided that the applicant satisfies the Region's requirements.</p>
Dufferin-Peel Catholic District School Board (January 26, 2015) and the Peel District School Board (December 18, 2014)	<p>The Dufferin-Peel Catholic District School Board responded that it is 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.</p> <p>The Peel District School Board requested that in the event that the applications approved, the standard school accommodation condition in accordance with City of Mississauga Resolution 152-98, adopted by Council on May 27, 1998 be applied. Among other things, this condition requires that a development application include the following as a condition of approval:</p> <p>"Prior to the passing of an implementing zoning by-law for residential development, the City of Mississauga shall be advised by the School Boards that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the</p>

Forest Park Circle Ltd.

File: OZ 12/009 W3

Agency / Comment Date	Comment
	developer/applicant and the School Boards for the subject development."
City Community Services Department – Parks and Forestry Division/Park Planning Section (March 17, 2015)	<p>In the event that the application is approved, the Community Services Department - Park Planning note the following conditions.</p> <p>The subject property is adjacent to Shaver Trail (P-239) which contains a lit multi-use trail. Also, the site is approximately 100 m from Garnetwood Park (P-135) which contains 2 unlit softball diamonds, 2 basketball hoops, a natural ice rink, a leash free zone, a multi pad, a play site, a senior unlit soccer field and 4 public tennis courts.</p> <p>Should this application be approved, fencing, protective hoarding, and associated securities for the adjacent greenbelt lands will be required. Arrangements will be made to secure for any clean-up and reinstatement works that may be required within the adjacent greenbelt lands.</p> <p>Prior to by-law enactment, a cash contribution for street planting will be required. Further, prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of <i>the Planning Act</i> and in accordance with City's Policies and By-laws.</p>
City Community Services Department – Fire and Emergency Services Division (January 27, 2015)	Fire has reviewed the application from an emergency response perspective and has no concerns. Emergency response time to the site and available water supply are acceptable.
City Transportation and Works Department (February 6, 2015)	<p>This department confirmed receipt of a Site Plan, Planning Justification Report, Functional Servicing Report, Environmental Noise Report and Traffic Impact and Parking Study.</p> <p>Notwithstanding the findings of these reports and drawings, the applicant has been requested to provide additional technical details. Development matters currently under review and</p>

Forest Park Circle Ltd.

File: OZ 12/009 W3

Agency / Comment Date	Comment
	<p>consideration by the department include:</p> <ul style="list-style-type: none"> • Traffic impacts and site access details; • Stormwater servicing design; • Grading details; • Environmental Site Assessment; • Compliance with City condominium standards. <p>The above aspects will be addressed in detail prior to the Recommendation Report.</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> <p>Canada Post Rogers Cable Greater Toronto Airport Authority</p>
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <p>Bell Canada Enersource Hydro Mississauga Conseil Scolaire de Districte Centre-Sud Conseil Scolaire Viamonde Trillium Health Partners Culture Division, Community Services Department Realty Services, Corporate Services Department</p>

Forest Park Circle Ltd.

File: OZ 12/009 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"> 52 Kindergarten to Grade 6 23 Grade 7 to Grade 8 33 Grade 9 to Grade 12 School Accommodation: <ul style="list-style-type: none"> Glen Forest P.S. <ul style="list-style-type: none"> Enrolment: 525 Capacity: 539 Portables: 2 Glenhaven Sr. <ul style="list-style-type: none"> Enrolment: 468 Capacity: 559 Portables: 0 Glenforest S.S. <ul style="list-style-type: none"> Enrolment: 1,378 Capacity: 1,023 Portables: 10 <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"> 5 Junior Kindergarten to Grade 8 1 Grade 9 to Grade 12 School Accommodation: <ul style="list-style-type: none"> Saints Martha and Mary <ul style="list-style-type: none"> Enrolment: 354 Capacity: 430 Portables: 0 Philip Pocock <ul style="list-style-type: none"> Enrolment: 1207 Capacity: 1257 Portables: 5

Forest Park Circle Ltd.**File: OZ 12/009 W3**

While the applications were submitted under the policies of Mississauga Plan, the applicant has consented to the application being converted to amend Mississauga Official Plan (2012).

Current Mississauga Official Plan Designation and Policies for the Rathwood Neighbourhood Character Area

"Residential High Density" which permits apartment dwellings with a maximum Floor Space Index (FSI) of 1.0 and the following additional uses: residential dwelling, accessory offices for health professionals, home occupation, special needs housing, urban gardening and a convenience commercial facility on the ground floor of a building.

For lands within a Neighbourhood, a maximum building height of four storeys applies. For lands designated Residential High Density, development in addition to existing buildings will be restricted to uses permitted in the Residential Medium Density designation.

There are other policies in Mississauga Official Plan that are also applicable in the review of this/these applications, which are found in Appendix I-9.

Proposed Official Plan Amendment Provisions

The applicant is proposing to retain the **"Residential High Density"** designation while adding the following new Special Site policies for the site:

- a) additional apartment dwellings are permitted
- b) a maximum FSI of 1.6

Forest Park Circle Ltd.

File: OZ 12/009 W3

Relevant Mississauga Official Plan Policies

	Specific Policies	General Intent
Section 5 – Direct Growth	Section 5.3.5 Section 5.4	Neighbourhoods should be regarded as stable residential areas where the existing character is to be preserved. Residential intensifications within Neighbourhoods should generally occur through infilling and development of existing commercial sites as mixed use areas. Where higher density uses are proposed, they should be located along Corridors or in conjunction with existing apartment sites or commercial sites. Intensification within Neighbourhoods may be considered where the proposed development is compatible in built form and scale to the surrounding development.
Section 7 – Complete Communities	Section 7.2	The provision of housing should maximize the use of community infrastructure and engineering services, while meeting the housing needs and preferences of Mississauga residents. A range of housing types, tenure and price is to be provided.
Section 9 – Build a Desirable Urban Form	Section 9.0 Section 9.1 Section 9.2 Section 9.3 Section 9.4 Section 9.5	Appropriate infill in both Intensification Areas and Non-Intensification Areas will help to revitalize existing communities by replacing aged buildings, developing vacant or underutilized lots and by adding to the variety of building forms and tenures. It is important that infill "fits" within the existing urban context and minimizes undue impacts on adjacent properties. Redevelopment projects include a range of scales, from small residential developments to large scale projects, such as the redevelopment of strip malls. Infill and redevelopment within Neighbourhoods will respect the existing and planned character, provide appropriate transition to the surrounding context and minimize undue impacts on adjacent properties. Tall buildings should incorporate podiums, achieve appropriate street enclosure in relation to the right-of-way width, enhance the quality of the public realm, and be appropriately spaced to permit light and sky views.

Forest Park Circle Ltd.

File: OZ 12/009 W3

	Specific Policies	General Intent
Section 16 – Neighbourhoods	Section 16.1 Section 16.1.2	<p>A maximum building height of four storeys will apply to Neighbourhoods. Proposals for heights of more than four storeys will be considered where it can be demonstrated that the transition in heights respects the surrounding context, the proposal enhances the existing or planned development and the City Structure hierarchy is maintained.</p> <p>Proposals for additional development on lands with existing apartment buildings will be restricted to uses permitted in the Residential Medium Density Designation.</p> <p>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.</p>
Section 19 – Implementation	Section 19.5.1	<p>This section contains criteria which requires an applicant to submit satisfactory planning reports to demonstrate the rationale for the proposed amendment as follows:</p> <ul style="list-style-type: none"> 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.

Forest Park Circle Ltd.

File: OZ 12/009 W3

Summary of Existing Zoning By-law Provisions

"RA4-1" (Apartment Dwellings), which permits Apartment dwellings according to the "RA4" zoning regulations with a minimum floor space index of 0.5 and a maximum floor space index of 1.0.

Proposed Zoning Standards

	Required "RA4-1" (Apartment Dwellings) Zoning By-law Standards	Proposed "RA4" Zoning By-law Standards
Floor Space Index	0.5-1.0	1.6
Exception Schedule		The permitted uses and applicable regulations shall be as specified for a RA4 zone except that all site development plans shall comply with the exception schedule which will reflect the concept plan shown in Appendix I-5.

APPENDIX I-11



Forest Park Circle Ltd.

File: OZ 12/009 W3

Recommendation PDC-0031-2015

That the Report dated May 5, 2015, from the Commissioner of Planning and Building regarding applications by Forest Park Circle Ltd. to permit two new condominium apartment buildings of 12 and 15 storeys in addition to the two existing rental apartment buildings under File OZ 12/009 W3, at 1850 Rathburn Road East and 4100 Ponytrail Drive, be received for information.
File: OZ 12/009 W3



AERIAL VIEW OF SITE FROM NORTH



STREET VIEW OF SITE FROM NORTH-EAST



AERIAL VIEW OF SITE FROM SOUTH-WEST



AERIAL VIEW OF SITE FROM NORTH-WEST

WARD 3 CAPACITY ANALYSIS

Purpose

The purpose of this study is to address servicing impacts from potential redevelopment of properties within a portion of Ward 3 including Rockwood Village, with respect to impacts on local community centres, traffic on abutting streets, and physical infrastructure.

This analysis is being considered in conjunction with some recent in-progress applications for intensification within Rockwood village and the surrounding area.

While reviewing the Official Plan Amendment and Rezoning applications under File OZ 12/009 W3 (4100 Ponytrail Drive and 1850 Rathburn Road East), Ward 3 Councillor, Chris Fonseca expressed concerns that there are two applications in process in and around the Rockwood Village area that are located outside of the identified Rathwood Applewood Community Node. While individual applications may not impact the streets and infrastructure, there were questions about capacity in the area for the future. Councillor Fonseca asked Planning Staff to coordinate the review of capacity in the area to address potential future servicing impacts.

Parameters

See attached study area map which identifies sites for potential, future intensification. See also attached spreadsheet which details the population increase based on development of these potential sites. *The assumptions made in this analysis and the sites selected are for modelling purposes only and are not to be interpreted as support for intensification or development of sites.*

Appendix A (attached) outlines the approximate boundaries for analysis and identifies the location of potential development sites within the study area based on parameters outlined in Appendix B.

The area is bound generally by Cawthra Road to the west, Eastgate Parkway to the north, Little Etobicoke Creek to the east and Burnhamthorpe Road East to the south and mainly consists of properties located on Arterial and Major Collector roads. The areas along Dundas Street East and Bloor Street East will be or have been subject to more detailed review under additional studies (Dundas Connects (started 2015) and the East Bloor Corridor Review (Background and Interim Strategy, 2013) respectively.

Appendix B outlines the assumptions used in the review.

- Potential development sites are existing commercial sites, lands on corridors which may be consolidated in the future or existing apartment sites which have additional site area that may be able to accommodate medium-density intensification such as townhomes
- Existing apartment data and density figures are sourced from the 2015 City of Mississauga Residential Directory

- For the purposes of estimating increased population, a modest increase in density was assigned to existing apartment sites similar or lower than what is being proposed for the OZ 12/009 W3 application or as per the permitted density in the Official Plan
- Average unit size was estimated based on current development applications

Process

Given the assumed population increase within the study area, the Region of Peel and the City's Community Services and Transportation and Works Departments were requested to review the impacts from their respective perspectives.

Results

Based on assumptions and estimates, an additional 3,225 units could potentially result, which translates to an estimated population increase of 7,739. This population increase is greater than the City's 2011 growth forecast for 2041 and represents a long term scenario for modelling purposes.

Individual comments were received by the Region of Peel, Community Services and Transportation and Works.

Region of Peel

Currently, there are no capital water or wastewater works identified to accommodate growth in the area. The area is presently well serviced with no capacity related concerns identified.

Water

The area will be serviced from the existing Silverthorne and Hanlan pumping stations. The Beckett Sproule reservoir will provide some floating storage, and due to the configuration of the system; the remainder of the storage required will be pumped from the Silverthorne pumping station and reservoir.

Should there be higher demands around Dixie and Rathburn at Burnhamthorpe, the 300 mm (11.81 inch) watermain on Burnhamthorpe should be replaced with a 400 mm (15.75 inch) watermain.

Wastewater

Rockwood Village area is serviced through two main trunk systems, the Dundas Street trunk which services the Ponytrail area to the east and the Little Etobicoke Creek trunk, which services the area around Burnhamthorpe between Cawthra Road and Dixie Road.

Currently there is existing infrastructure in the area that can collect flows in the village and properties around Ponytrail Drive can be serviced with the existing system. Works are currently underway to ensure proposed developments can be serviced.

Stormwater

Properties adjacent to Bough Beeches near Dixie Road and Burnhamthorpe Road East can be serviced once the existing sewer on Bough Beeches Boulevard is upgraded to prevent surcharging under a 5-yr storm. A 375 mm (14.8 inch) sewer would be sufficient based on the population projections provided. Timing for this project will be determined once the applications come forward and exact population estimates are confirmed.

The developments west of Dixie Road within the study area can also be serviced using the existing local system which eventually conveys flows to the sewer on Ibis Court.

During the storm event on July 2013, several areas around the Rockwood Village experienced basement flooding, which flagged serious issues in the sewer system. Subsequently, studies have been initiated to evaluate the current state of the existing sewers and identify a solution to avoid further problems. Applications for development will be evaluated to ensure that risks of flooding are minimized.

City of Mississauga Community Services*Parkland*

Based upon the prospective growth, sufficient parkland is already in place to provide 100% coverage within the area. The existing park system exceeds the city wide provision level.

Playgrounds

The area would not require additional playgrounds to accommodate the projected population increase.

Trails and Pathways

Trails and pathways are not developed based on a population standard and are provided as connections between and within City lands and facilities. The area is well served by over 15 km of trails and pathways and the projected population increase would not impact the system. The City will continue building towards an interconnected trail and pathway system which builds off of the existing network.

Recreational Facilities

The population increase does not alter recommendations in Future Directions Master Plan in relation to the service area (5). Future Directions recommends that a new community centre may be triggered by future growth along the Highway 10 Corridor (i.e. in Cooksville).

City of Mississauga Transportation and Works

Based on a high-level assessment, the projected long-term growth can be accommodated within the existing transportation network.

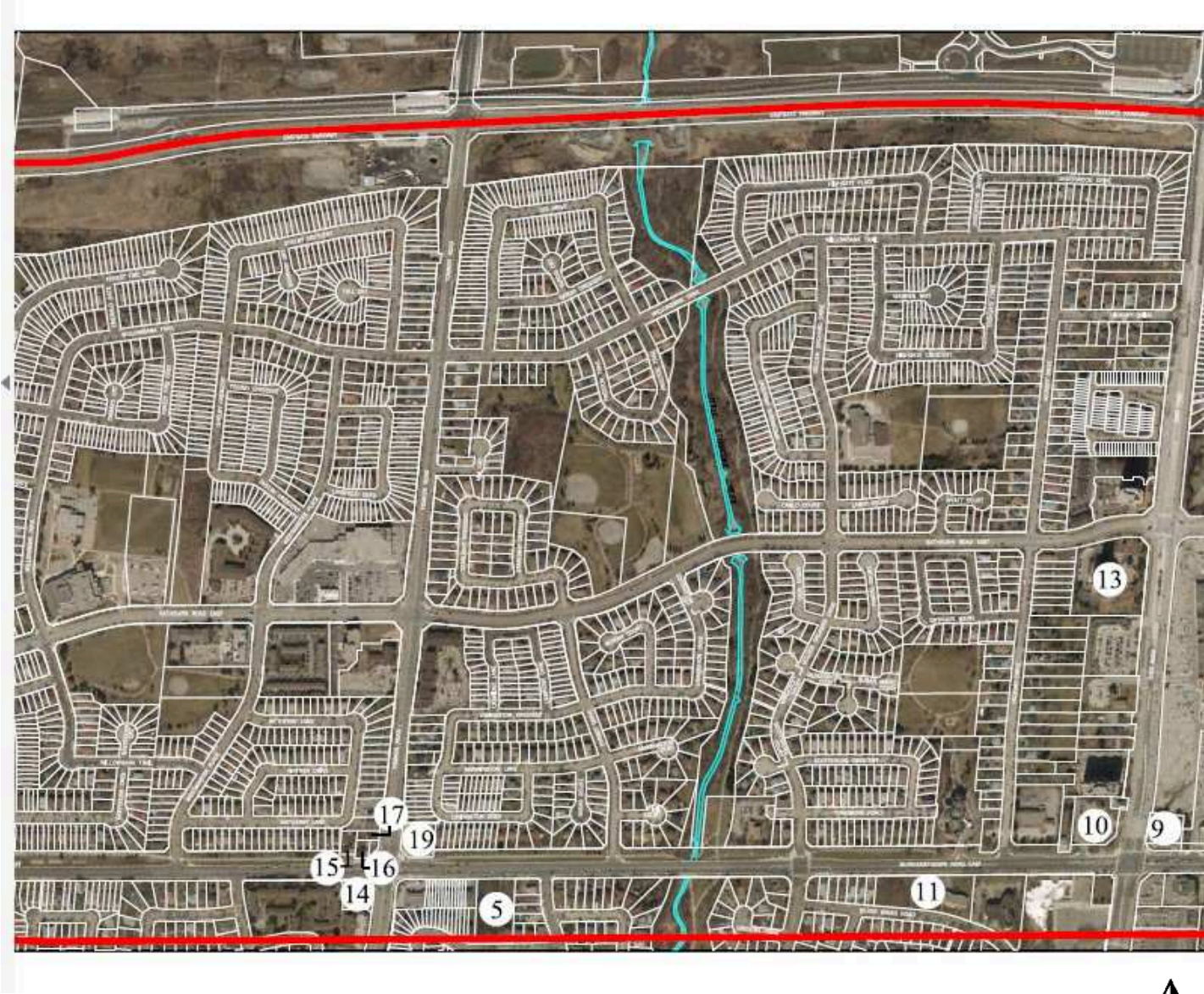
The existing development applications have submitted satisfactory Traffic Impact Studies which did not identify any need for improvements beyond those already in the capital budget. Any future developments would also require the submission and review of a Traffic Impact Study.

The City's terms of reference for Traffic Impact Studies include the requirement for analysis of future traffic growth.

Conclusion

Based on the parameters of the study and analysis conducted by the Region of Peel, the City's Transportation and Works and Community Services, there are no significant capacity concerns related to future growth. Any intensification beyond what is permitted would be subject to Official Plan Amendment and Rezoning applications supported by technical studies.

APPENDIX A – Analysis Area and Potential Development Sites



APPENDIX A – Analysis Area and Potential Development Sites



WARD 3 CAPACITY ANALYSIS

Map Key #	Address	Ex. Building Type	Zoning	Residential Tenure	Site Area		FSI ¹		Total GFA	Average Unit Size ²	No. of Units		Potential Unit Increase ³	PPU ⁴	Projected Population
					ha	sm	Existing	New			Existing	New/Existing to Remain			
1,2	4100 Ponytrail 1850 Rathburn	2 x 18 storey building	RA4-1	rental	3.74	37,400	0.96	1.6			384	662	278		
3	2121 Rathburn Road East	Existing Apartment	RA4-1	rental	1.78	17,800	0.75	1.4	24,920	80	139	312	173		
4	1891 Rathburn Road East	Plaza	C2	n/a	1.22	12,200	n/a	1.6	19,520	80	0	244	244		
5	1050 Burnhamthorpe Road East	detached house	R3	n/a	0.68	6,800	n/a	1	6,800	80	1	85	84		
6	1111 Bough Beeches Boulevard	Existing Apartment	RA4	condo	0.88	8,800	1.40	1.5	13,200	80	100	165	65		
7	1155 Bough Beeches Boulevard	Existing Apartment	RA4	condo	0.86	8,600	1.55	1.6	13,760	80	120	172	52		
8	4141 Dixie Road	Mall	C3-56	n/a	3.66	36,600	n/a	2.5	91,500	80	0	1144	1144		
9	4011 Dixie Road	Commercial	C5-3	n/a	0.15	1,500	n/a	2.5	3,750	80	0	47	47		
10	1349 Burnhamthorpe Road East	Commercial	C5-16	n/a	0.55	5,500	n/a	1.4	7,700	80	0	96	96		
11	1315,1355 Silver Spear Road	Existing Apartments	RA2-40	rental	3.34	33,400	1.48-1.29	1.5	50,100	80	347	626	279		
12	1315 Bough Beeches Boulevard	Existing Apartments	H-RA5-39	condo	2.37	23,700	1.12	2.56		n/a	270	683	413		
13	1360 Rathburn Road East	Existing Apartments	RA4-5	condo	1.52	15,200	1.14	1.8	27,360	80	179	342	163		
14	960 Burnhamthorpe Road East	Commercial	R3	n/a	0.25	2,500	n/a	1.4	3,500	80	0	44	44		
15	949 Burnhamthorpe Road East	Detached House	R3	n/a	0.1	1,000	n/a	1.4	1,400	80	1	18	17		
16	951 Burnhamthorpe Road East	Detached House	R3	n/a	0.07	700	n/a	1.4	980	80	1	12	11		
17	4012 Tomken Road	Detached house	R3	n/a	0.06	600	n/a	1.4	840	80	1	11	10		
18	3670 Cawthra Road	Vacant	C5-3	n/a	0.25	2,500	n/a	1.6	4,000	80	0	50	50		
19	971 Burnhamthorpe	Commercial	C5-3	n/a	0.25	2,500	n/a	1.47	3,675	n/a	0	56	52		
									262,110		1,543	4,768	3,225	2.4	7,739

- Notes:
- Existing data is from 2015 City of Mississauga Residential Directory
 - New assumptions and new data as a result of this Capacity Analysis
 - Indicates lot area divided in half to account for potential non-residential (mixed use) re-development on commercial sites
 - Indicates in progress or approved development applications with known unit numbers/FSI
 - 1 FSI estimates based on a conservative increase in existing FSI for each site or FSI as per Official Plan
 - 2 Average Unit size is estimated based on current development applications
 - 3 The number of units is calculated as follows: New units = site area x density / average unit size
 - 4 PPU figure is an estimated population per unit figure for apartments based on development applications for the City's 2011 Growth Forecast.