



MISSISSAUGA

July 22, 2015

Mr. John Hardcastle  
Manager, Development Services  
Public Works  
Region of Peel  
10 Peel Centre Drive, Suite A, 6<sup>th</sup> Floor, Room 601  
BRAMPTON, ON L6T 4B9

Dear Mr. Hardcastle:

RE: (Mississauga) Plan Amendment No. 29  
West side of Hurontario Street, south of Indian Valley Trail.  
OPA 29 – Ward 1

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This is further to the Notice of Decision given on July 2, 2015 under subsection 17(23) of the Planning Act with respect to City of Mississauga Official Plan Amendment Number 29.

Since no appeals were received during the prescribed period within which appeals could be made, Amendment Number 29, came into force on July 22, 2015.

Enclosed for your records is an executed Declaration to be inserted in your duplicate original copy of the amendment.

Yours truly,

Diana Rusnov, Deputy Clerk  
Legislative Services  
Corporate Services Department  
905-615-3200 X 5421

:mj  
Attach.

David Breveglieri, Planner  
Farah Sharib, Planning & Building (Duplicate Original Amendment & remaining books)  
Applicant: - Glen Schnarr & Associates Inc. 700- 10 Kingsbridge Garden Circle, Mississauga, ON  
L5R 3K6  
Owner: High Tech Pet Products Inc. Att: Andrea & Eugen Hutka: 320 Derry Rd. West Miss, ON  
L5W 1N6  
Planning Notification Distribution – Via e-mail

Enclosure

# DECLARATION

Subsection 17 of the Planning Act

**Applicant:** Beata & Kris Kratiuk  
**Municipality** City of Mississauga  
**Our File:** OPA 29

I, Diana Rusnov, Deputy Clerk, solemnly declare,

1. That the decision in respect of the above-noted matter was made on June 24, 2015, when By-law Number 0165-2015 was enacted and that notice as required by subsection 17 of the Planning Act was given on July 2, 2015.
2. That no appeal to the Ontario Municipal Board of the decision in respect of the above-noted matter was received under subsection 17 of the Planning Act within the time specified for submitting an appeal.

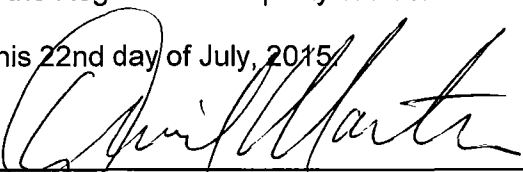
And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.


Declared before me

at the City of Mississauga

in the Regional Municipality of Peel

This 22nd day of July, 2015

  
\_\_\_\_\_  
Commissioner of Oaths

  
\_\_\_\_\_  
Declarant

**DAVID LESLIE MARTIN, a Commissioner, etc.,**  
Regional Municipality of Peel, for the  
Corporation of the City of Mississauga.  
Expires May 10, 2017.



MISSISSAUGA

July 2, 2015

Mr. John Hardcastle  
Manager  
Development Services  
Public Works  
Region of Peel  
10 Peel Centre Drive, Suite A, 6<sup>th</sup> Floor, Room 601  
BRAMPTON ON L6T 4B9

Dear Mr. Hardcastle:

RE: Official Plan Amendment No. 29  
West side of Hurontario Street, south of Indian Valley Trail.  
File: OZ 07/021 – OPA 29- Ward 1

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Please find enclosed the Notice of Decision for Official Plan Amendment 29 and duplicate original copy of the amendment. This amendment was adopted by Council on June 24, 2015, by By-law 0165-2015. The Mississauga Plan (Official Plan) Amendment has been prepared in accordance with Resolution Number 0180-2011, adopted by City Council on July 6, 2011.

Also enclosed for your records is a copy of the Certificate of Public Meeting and Notification, Record of Written Submissions, minutes of Council meeting of July 6, 2011.

Yours truly,

Crystal Greer, City Clerk  
Legislative Services  
Corporate Services Department  
905-615-3200 X 5421

:mj

cc:

David Breveglieri, Planning and Building (Working copy of Amendment)  
Farah Sharib, Planning and Building (Viewing copy of Amendment)  
Applicant – Beata & Kris Kratiuk, 1430 Hurontario St. Unit A Mississauga, ON L5G 3H4 (Certified working copy of Amendment)  
Planning Notification Distribution- Via e-mail



**PLANNING ACT  
 NOTICE OF THE PASSING OF AN OFFICIAL PLAN AMENDMENT AND  
 A ZONING BY-LAW BY  
 THE CORPORATION OF THE CITY OF MISSISSAUGA  
 BILL 51**

<b>DATE OF NOTICE</b>	July 2, 2015	
<b>OPA NUMBER</b>	OPA 29 (By-law 0165-2015)	
<b>ZONING BY-LAW NUMBER</b>	0166-2015	
<b>DATE PASSED BY COUNCIL</b>	June 24, 2015	
<b>LAST DATE TO FILE APPEAL</b>	July 21, 2015	
<b>FILE NUMBER</b>	OZ 07/021	Ward 1
<b>APPLICANT</b>	Beata and Kris Kratiuk.	
<b>PROPERTY LOCATION</b>	West side of Hurontario Street, south of Indian Valley Trail.	

**TAKE NOTICE** that the Council of the Corporation of the City of Mississauga passed the above noted Official Plan Amendment and Zoning By-law, under Sections 17 and 34 of the Planning Act, R.S.O., 1990, c.P.13, as amended.

An explanation of the Purpose and Effect of the Official Plan Amendment Zoning By-law, a description of the lands to which it applies, and/or a key map showing the location of the lands to which it applies, are attached.

To view the Official Plan Amendment and Zoning By-law in their entirety please visit: [www.mississauga.ca/portal/cityhall/publicnotices](http://www.mississauga.ca/portal/cityhall/publicnotices), or in person at the Office of the City Clerk, 300 City Centre Drive, 2<sup>nd</sup> Floor, Mississauga, Ontario.

The Zoning by law shall not come into force until Mississauga Plan (Official Plan) Amendment Number 29 is in full force and effect. A notice of appeal to the Ontario Municipal Board in respect of the by-law must be filed with the Clerk of the City of Mississauga, Attention: Crystal Greer, 300 City Centre Drive, Mississauga, Ontario L5B 3C1, no later than July 21, 2015.

**The Notice of Appeal must:**

- 1) set out reasons for the appeal; and,
- 2) be accompanied by the fee required by the Ontario Municipal Board in the amount of \$125.00 payable by certified cheque or money order to the Minister of Finance, Province of Ontario, and
- 3) be accompanied by an administration fee of \$150.00, payable by Certified Cheque to the Treasurer of City of Mississauga.
- 4) Four (4) copies of the appeal package.

**IF YOU WISH TO APPEAL** to the OMB a copy of an appeal form is available from the OMB website at [www.omb.gov.on.ca](http://www.omb.gov.on.ca).

Only individuals, corporations and public bodies may appeal a by-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the City of Mississauga Council or, in the opinion of the Ontario Municipal Board, there are reasonable grounds to add the person or public body as a party.

Crystal Greer, City Clerk  
 Legislative Services,  
 Corporate Services Department  
 905-615-3200 X 5421

Amendment No. 29

to

Mississauga Official Plan

for the

City of Mississauga Planning Area

By-law No. 0165-2015

A by-law to Adopt Mississauga Official Plan Amendment No. 29

WHEREAS in accordance with the provisions of sections 17 or 22 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, (the "*Planning Act*") Council may adopt an Official Plan or an amendment thereto;

AND WHEREAS, pursuant to subsection 17(10) of the *Planning Act*, the Ministry of Municipal Affairs and Housing ("MMAH") authorized the Regional Municipality of Peel (the "Region") an approval authority, to exempt from its approval any or all proposed Local Municipal Official Plan Amendments;

AND WHEREAS, Regional Council passed By-law Number 1-2000 which exempted all Local Municipal Official Plan Amendments adopted by local councils in the Region after March 1, 2000, provided that they conform with the Regional Official Plan and comply with conditions of exemption;

AND WHEREAS, the Commissioner of Public Works for the Region of Peel has advised that, with regard to Amendment No. 29, in his or her opinion the amendment conforms with the Regional Official Plan and is exempt;

NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

1. The following text attached constitutes Amendment No. 29 to Mississauga Official Plan, specifically the Mineola Neighbourhood Character Area Policies of Mississauga Official Plan, of the City of Mississauga Planning Area, are adopted.

ENACTED and PASSED this 24<sup>th</sup> day of JUNE, 2015.

Signed: Original Signed By  
Matt Mahoney  
Acting Mayor

ORIGINAL SIGNED BY  
CRYSTAL GREER  
Signed \_\_\_\_\_  
CLERK



THE CORPORATION OF THE CITY OF MISSISSAUGA

BY-LAW NUMBER 0165-2015

A by-law to Adopt Mississauga Official Plan Amendment No. 29

WHEREAS in accordance with the provisions of sections 17 or 22 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, (the "*Planning Act*") Council may adopt an Official Plan or an amendment thereto;

AND WHEREAS, pursuant to subsection 17(10) of the *Planning Act*, the Ministry of Municipal Affairs and Housing ("MMAH") authorized the Regional Municipality of Peel (the "Region") an approval authority, to exempt from its approval any or all proposed Local Municipal Official Plan Amendments;

AND WHEREAS, Regional Council passed By-law Number 1-2000 which exempted all Local Municipal Official Plan Amendments adopted by local councils in the Region after March 1, 2000, provided that they conform with the Regional Official Plan and comply with conditions of exemption;

AND WHEREAS, the Commissioner of Public Works for the Region of Peel has advised that, with regard to Amendment No. 29, in his or her opinion the amendment conforms with the Regional Official Plan and is exempt;

NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

1. The following text attached constitutes Amendment No. 29 to Mississauga Official Plan, specifically the Mineola Neighbourhood Character Area Policies of Mississauga Official Plan, of the City of Mississauga Planning Area, are adopted.

ENACTED and PASSED this 24 day of June, 2015.

APPROVED AS TO FORM City Solicitor MISSISSAUGA		
MST		
Date	04	15

ACTING MAYOR

CLERK

Amendment No. 29

to

Mississauga Official Plan

for the

City of Mississauga Planning Area

The following text attached hereto constitutes Amendment No. 29.

Also attached hereto but not constituting part of the Amendment are Appendices I and II.

Appendix I is a description of the Public Meeting held in connection with this Amendment.

Appendix II is a copy of the Planning and Building Department report dated June 13, 2011, pertaining to this Amendment.



## PURPOSE

The purpose of this Amendment is to permit residential and office uses, excluding medical and real estate offices, within a converted detached dwelling, with a combined maximum gross floor area (GFA) of 467 m<sup>2</sup>, and to change the land use designation of the subject lands from "Residential Low Density I - Special Site 2" to "Residential Low Density I - Special Site 2E".

## LOCATION

The lands affected by this Amendment are located on the west side of Hurontario Street, south of Indian Valley Trail. The subject lands are located in the Mineola Neighbourhood Character Area, as identified in Mississauga Official Plan.

## BASIS

Mississauga Official Plan came into effect on November 14, 2012, save and except for those policies and land use designations which have been appealed to the Ontario Municipal Board.

The subject lands are designated "Residential Low Density I" which permits detached dwellings and are subject to Special Site policies. These policies also permit offices, and a detached dwelling containing a maximum of one dwelling unit in combination with office uses. Offices or residential-office buildings are not to exceed 420 m<sup>2</sup> Gross Floor Area (GFA) and are subject to additional provisions.

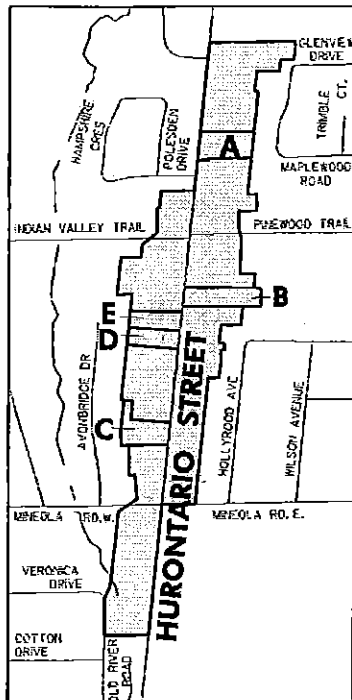
The proposed Amendment is acceptable from a planning standpoint and should be approved for the following reasons:

1. The proposed redesignation meets the overall intent, goals, objectives and policies of Mississauga Official Plan;
2. The proposed redesignation is appropriate for the property and will not adversely impact or destabilize the surrounding land uses;
3. No additions or changes to the exterior of the existing dwelling are proposed, therefore maintaining the character of the area;
4. The proposed uses are permitted and are prevalent amongst the surrounding properties.

DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

1. Section 16.18.5.2, Site 2, Special Site Policies, Mineola Neighbourhood of Mississauga Official Plan, is amended by deleting the Site 2 Map and replacing it with the following:

**16.18.5.2 Site 2**



2. Section 16.18.5.2, Site 2, Special Site Policies, Mineola Neighbourhood of Mississauga Official Plan, is amended by adding the following:

16.18.5.2.7 Notwithstanding subsection i. of this section, for the lands identified as Area E, for the building at 1430 Hurontario Street, the maximum Gross Floor Area (GFA) will not exceed 467 m<sup>2</sup>. The GFA of an office will not exceed 365 m<sup>2</sup>.

## IMPLEMENTATION

Upon the approval of this Amendment by the Council of the Corporation of the City of Mississauga, Mississauga Official Plan will be amended in accordance with this Amendment, and thereafter forms part of the Mississauga Official Plan.

The lands will be rezoned to implement this Amendment.

This Amendment has been prepared based on the Office Consolidation of Mississauga Official Plan dated May 21, 2014.

## INTERPRETATION

The provisions of Mississauga Official Plan, as amended from time to time regarding the interpretation of that Plan, will apply in regard to this Amendment.

This Amendment supplements the intent and policies of Mississauga Official Plan.

APPENDIX I  
PUBLIC MEETING

All property owners within a radius of 120 m of the subject lands were invited to attend a Public Meeting of the Planning and Development Committee held on June 15, 2009 in connection with this proposed Amendment.

A concern was raised by a community member stating that the proposed office uses were already in operation, however, no material concerns were raised by the public with respect to the subject Official Plan Amendment and Rezoning Applications.



# Corporate Report

Clerk's Files

Originator's

Files OZ 07/021 W1

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**COUNCIL** JUL 6 2011

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**DATE:** June 13, 2011

**TO:** Mayor and Members of Council  
Meeting Date: July 6, 2011

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

**SUBJECT:** **Official Plan Amendment and Rezoning Applications**  
**To permit residential and office uses within a converted**  
**detached dwelling**  
**1430 Hurontario Street**  
**West side of Hurontario Street, south of Indian Valley Trail**  
**Owner: Kris and Beata Kratiuk**  
**Applicant: Greg Dell and Associates**  
**Bill 51**

**Supplementary Report****Ward 1**

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**RECOMMENDATION:** That the Report dated June 13, 2011, from the Commissioner of Planning and Building recommending approval of the applications under File OZ 07/021 W1, Kris and Beata Kratiuk, 1430 Hurontario Street, west side of Hurontario Street, south of Indian Valley Trail, be adopted in accordance with the following:

1. That the application to amend Mississauga Plan from "Residential Low Density I - Special Site 2" to "Residential Low Density I - Special Site 2, as amended" to permit residential and office uses within a converted detached dwelling with a maximum total Gross Floor Area of 467 m<sup>2</sup> (5,027 sq. ft.), be approved.

2. That the application to change the Zoning from "R2-5" (Detached Dwelling) to "R2-Exception" (Office and Residential) to permit office and residential uses, excluding medical and real estate offices, within a converted detached dwelling in accordance with the proposed zoning standards described in the Information Report, be approved subject to the following condition:
  - a) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development.
3. 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.
4. That the Region of Peel be requested to make appropriate modifications to the new Mississauga Official Plan through the Regional approval process to redesignate the lands from "Residential Low Density I - Special Site 2" to "Residential Low Density I - Special Site 2, as amended".

**BACKGROUND:**

A public meeting was held by the Planning and Development Committee on June 15, 2009, at which time a Planning and Building Department Information Report (Appendix S-1) was presented and received for information.

At the Public Meeting, the Planning and Development Committee passed Recommendation PDC-0058-2009 which was subsequently adopted by Council and is attached as Appendix S-2.

**COMMENTS:**

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

**COMMUNITY ISSUES**

As outlined in the Information Report, a Community Meeting was held by the former Ward 1 Councillor on May 14, 2009.

At the Planning and Development Committee meeting held on June 15, 2009, a comment was raised regarding the property being currently used predominantly for office uses in contravention of the conditions imposed under a previously approved minor variance application. In responding to this comment, staff indicated that this issue is a matter of by-law enforcement and as such would not have any bearing on the evaluation of the applications on their own merits.

### **UPDATED AGENCY AND CITY DEPARTMENT COMMENTS**

#### **City Transportation and Works Department**

Comments updated April 19, 2011 from the Transportation and Works Department state that the Site Grading and Servicing Plan has been revised to address modifications to the vehicular/pedestrian access arrangement proposed within the municipal boulevard. In addition, the applicant has provided a satisfactory Environmental Site Screening Questionnaire and Declaration (ESSQD) and details regarding the analysis of the existing Hurontario Street storm sewer.

Site specific grading and access details will be addressed through the processing of the associated site plan application.

In the event these applications are approved by Council, the owner will be required to implement stormwater management techniques into the design and construction of the site works and services in accordance with the applicable criteria, to the satisfaction of the Transportation and Works Department. In addition, prior to by-law enactment, the owner will be required to provide cash contribution for the future oversizing of the storm sewer on Hurontario Street and enter into a Development Agreement with the City.

## PLANNING COMMENTS

### Official Plan

The proposal requires an amendment to the Mississauga Plan Policies for the Mineola District. As outlined in the Information Report, Mississauga Plan provides criteria for evaluating site specific Official Plan Amendments (Section 5.3.2). Each criterion is summarized below along with a discussion of how the proposed applications address the intent of the criteria.

### **Will the proposed redevelopment adversely impact or destabilize the intent, goals and objectives of the Official Plan?**

Section 2 of Mississauga Plan outlines the overall Goals and Objectives of the Plan. There are three in particular which are most applicable to the proposed Official Plan Amendment.

Section 2.2 speaks to Urban Form and Community Identity. The proposal to permit residential and office uses within a converted detached dwelling will aid in maintaining the distinct identity of this part of Mineola while increasing the flexibility of the permitted land uses. Retention of the existing dwelling will also respect the recognizable residential character of the existing community in keeping with the Urban Design Goals set out in Section 2.11.

Section 2.3 speaks to Population and Employment. While the existing dwelling has been partially used for offices by way of minor variance approvals through the Committee of Adjustment, the proposed amendment will continue to allow for a range of employment opportunities and is in keeping with the objective of increasing office employment and facilitating the expansion of existing businesses.



**Will the proposed redesignation adversely impact or destabilize the development or functioning of the remaining lands which are the same designation, or neighbouring lands?**

The properties to both the north and south of the subject property contain businesses. The property to the south contains a veterinarian clinic within a detached dwelling with a total gross floor area of 460 m<sup>2</sup> (4,952 sq. ft.) while the property to the north is occupied entirely by office uses. The proposed reconfiguration of the parking area will continue to accommodate parking in the front yard only thereby not having any impact to the residential property to the west. The proposal will not have a negative impact on any of the surrounding properties as the proposed uses will function entirely within the limits of the property with direct access to Hurontario Street and are complementary to the uses that already exist along the street.

**Is the proposed land use suitable for the lands and compatible with existing and future uses of surrounding lands?**

The proposed land uses are those which are already permitted in this area and are commonplace along this stretch of Hurontario Street. The need for an Official Plan Amendment is derived from the existing building being greater than the maximum permitted gross floor area of 420 m<sup>2</sup> (4521 sq. ft.). Accordingly, it is not anticipated that the proposed uses will have any negative impacts on the surrounding land uses or any anticipated future uses.

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

Based on the comments received from the applicable City Department and Agencies, the existing infrastructure is adequate to support the proposed development.

**New Mississauga Official Plan**

Mississauga Official Plan was adopted by City Council on September 29, 2010. Until the new Mississauga Official Plan is

approved by the Region of Peel and comes into force, Mississauga Plan continues to be in effect. While the existing Official Plan is the plan of record against which the applications are being reviewed, regard should also be given to the new Mississauga Official Plan. Under the new Mississauga Official Plan, the subject lands are designated "Residential Low Density I - Special Site 2". The proposed "Residential Low Density I - Special Site 2, as amended" designation does not conform to the land use designation in the new Mississauga Official Plan and associated policies. The new Mississauga Official Plan would need to be modified to redesignate the lands to "Residential Low Density I - Special Site 2, as amended".

The timing of the approval of the proposed site specific official plan amendment may be affected by the approval of the new Mississauga Official Plan and any potential appeals. Accordingly, public notice under the *Planning Act* has been provided for this meeting to consider the recommendations contained in this report. Furthermore, should these applications be approved by City Council through the adoption of a site specific official plan amendment to the existing Official Plan, the Region of Peel will be requested to incorporate the appropriate modifications into the new Mississauga Official Plan prior to its approval.

### **Zoning**

The proposed "R2-Exception" (Office and Residential) zone is appropriate to accommodate the proposed office and residential uses within the existing building as outlined in the Information Report. The proposal will be compatible with the surrounding lands for the reasons noted in the Official Plan section of this Report. Medical and real estate office uses will not be permitted as they generate a greater parking demand which could not be feasibly accommodated given the size of the site and requirements for landscaping.

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

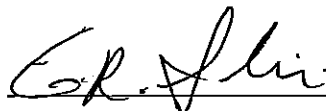
**CONCLUSION:**

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

1. The proposed Official Plan Amendment and Rezoning meet the overall intent, goals, objectives and policies of Mississauga Plan.
2. The proposed redesignation and zoning standards are appropriate for the property and will not adversely impact or destabilize the surrounding land uses.
3. The proposed development is compatible with the existing surrounding land uses and will maintain the character of the area.

**ATTACHMENTS:**

Appendix S-1 - Information Report  
Appendix S-2 - Recommendation PDC-0058-2009



Edward R. Sajecki  
Commissioner of Planning and Building

*Prepared By: David Breveglieri, Development Planner*



# Corporate Report

Clerk's Files

Appendix S-1

Originator's

Files : OZ 07/021 W1

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**DATE:** May 26, 2009

**TO:** Chair and Members of Planning and Development Committee  
Meeting Date: June 15, 2009

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

**SUBJECT:** **Information Report**  
**Official Plan Amendment and Rezoning Applications**  
**To permit residential and office uses within a converted**  
**detached dwelling**  
**1430 Hurontario Street**  
**West side of Hurontario Street, south of Indian Valley Trail**  
**Owner: Kris and Beata Kratiuk**  
**Applicant: Greg Dell and Associates**  
**Bill 51**

**Public Meeting** **Ward 1**

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**RECOMMENDATION:** That the Report dated May 26, 2009, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Residential Low Density I – Special Site 2" to "Residential Low Density I – Special Site 2, as amended" and to change the Zoning from "R2-5" (Detached Dwelling) to "R2-Exception" (Office and Residential), to permit residential and office uses, excluding medical and real estate offices, within a converted detached dwelling under file OZ 07/021 W1, Kris and Beata Kratiuk, 1430 Hurontario Street, be received for information.

**BACKGROUND:**

The above-noted applications have been circulated for technical comments and a community meeting was held on May 14, 2009.

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

**COMMENTS:**

Details of the proposal are as follows:

<b>Development Proposal</b>	
Applications submitted:	October 24, 2007 (submitted) January 3, 2008 (deemed complete)
Existing Gross Floor Area:	386.4 m <sup>2</sup> (4,159.3 sq. ft.) - Residential 80.2 m <sup>2</sup> (863.3 sq. ft.) - Office 466.6 m <sup>2</sup> (5,022.6 sq. ft.) - Total
Height:	Two (2) storeys
Lot Coverage:	16%
Total Landscaped Area:	62%
Front Yard Landscaped Area:	51%
Proposed Gross Floor Area:	104.6 m <sup>2</sup> (1,125.9 sq. ft.) - Residential 362.0 m <sup>2</sup> (3,896.7 sq. ft.) - Office 466.6 m <sup>2</sup> (5,022.6 sq. ft.) - Total
Number of units:	One (1)
Anticipated Population:	3 * *Average household sizes for all units (by type) for the year 2011 (city average) based on the 2005 Growth Forecasts for the City of Mississauga.
Parking Required:	3.2 spaces/100 m <sup>2</sup> (1,076.42 sq. ft.) GFA for office uses or 12 spaces based on the current concept plan; 1.25 spaces for a dwelling unit in combination with an office (Total requirement of 13 spaces, including 1 space for person with disabilities)

<b>Development Proposal</b>	
Parking Provided:	15 including 2 within existing garage and 1 for person with disabilities
Supporting Documents:	Planning Justification Report Tree Preservation Plan

<b>Site Characteristics</b>	
Frontage:	30.3 m (99.5 ft.)
Depth:	70.9 m (232.6 ft.)
Net Lot Area:	0.21 ha (0.51 ac.)
Existing Use:	Residential and Office uses

### **Green Development Initiatives**

There have been no green development initiatives identified by the applicant at this time.

Additional information is provided in Appendices I-1 to I-9.

### **Neighbourhood Context**

The subject property is located in the Mineola District on the west side of Hurontario Street, south of Indian Valley Trail. A detached dwelling exists on the site that is being used as a residence and a small financial services office. Information regarding the history of the site is found in Appendix I-1.

Over the last twenty years, many of the existing detached dwellings fronting onto this portion of Hurontario Street have been converted to business, professional and administrative office uses. Despite the conversion to office uses, the properties along this portion of Hurontario Street have continued to maintain a residential character. The large lot sizes and the presence of mature trees and vegetation also contribute to the characteristic of this area. Hurontario Street constitutes a major north-south arterial road in the City.

The surrounding land uses are described as follows:

North: Offices  
East: Across Hurontario Street, medical offices  
South: Veterinary hospital  
West: Detached dwellings

**Mississauga Plan Designation and Policies for Mineola District  
(May 5, 2003)**

"Residential Low Density I" which permits detached dwellings to a maximum of 10 units per net residential hectare (4 units per net residential acre). The site is also subject to the "Special Site 2" policies which permit offices in addition to residential uses subject to certain criteria being met. The criteria include:

- ensuring the building maintains a residential appearance which is consistent with the form, design and scale of the surrounding residential area;
- the use must be of a nature and intensity that will have a limited impact on the low density residential character of the area and which results in limited impact on the function of Hurontario Street;
- locating parking exclusively within the front and side yards with a minimal loss of vegetation. However, where such locations result in conflict with City policies, consideration may be given to other locations provided the intent of the policies is maintained;
- to minimize the amount of hard surface area, on-site parking areas should have efficient vehicular circulation and a layout which is suitably screened, preferably with vegetation; and,
- the maximum gross floor area for new or modified buildings should not exceed 420 m<sup>2</sup> (4,521 sq. ft.), the maximum lot coverage should not exceed 25% and the maximum building height should not exceed two storeys.

The applications are not in conformity with the Special Site 2 policies for the Mineola District as the proposal to permit residential and office uses within a converted detached dwelling exceeds a total Gross Floor Area (GFA) of 420 m<sup>2</sup> (4,521 sq. ft.).

Official Plan Amendment (OPA) 62 came into force on May 6, 2008 and amended the Special Site 2 policies for the Mineola Planning District. As the subject applications were submitted prior to the new policies coming into effect, the former policies still apply. However, in evaluating the proposal, staff must have regard for the new policies which are outlined in Appendix I-9.

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

#### **Development Concept for Hurontario Street Corridor**

Section 4.24.2 of the Mineola District Policies indicates that the conversion of the Hurontario Street frontage residential properties to office or mixed residential and office uses will continue to be subject to policies to maintain the residential character of the street, and enhance the streetscape, recognizing its role as a major corridor and gateway to Port Credit.

#### **Urban Design Policies**

Section 4.24.3.2 of the Mineola District Policies state that on lands adjacent to Hurontario Street, the existing mature vegetation, well landscaped appearance and generous setbacks will be maintained to reflect area character. As Hurontario Street is a gateway to the District, as well as Port Credit, consideration should be given to: additional tree planting, a sodded boulevard, a bicycle route and a right-of-way design that is sympathetic to the character of the area.



### **Criteria for Site Specific Official Plan Amendments**

Section 5.3.2 of Mississauga Plan contains criteria which requires an applicant to submit satisfactory planning reports to demonstrate the rationale for the proposed amendment as follows:

- the proposal would not adversely impact or destabilize the following: the overall intent, goals and objectives of the Official Plan; and the development and functioning of the remaining lands which have the same designation, or neighbouring lands;
- the land is suitable for the proposed uses, and compatible with existing and future uses of surrounding lands;
- there is adequate infrastructure and community services to support the proposed development.

### **Proposed Official Plan Designation and Policies**

"Residential Low Density I – Special Site 2, as amended" to permit residential and office uses within a converted detached dwelling with a maximum total GFA of 467 m<sup>2</sup> (5,027 sq. ft.).

### **Existing Zoning**

"R2-5" (Detached Dwelling) which permits detached dwellings on lots with a minimum frontage of 30.0 m (98.43 ft.).

### **Proposed Zoning By-law Amendment**

"R2 - Exception" (Office and Residential) to permit residential and office uses, excluding medical and real estate office uses to a maximum gross floor area (GFA) of 467 m<sup>2</sup> (5,027 sq. ft.), with office uses being limited to a maximum GFA of 365 m<sup>2</sup> (3,929 sq. ft.).

As part of the rezoning, the applicant is proposing that the following standards be applied:

	Required Zoning By-law Standard	Proposed Standard
Parking	3.2 spaces/100 m <sup>2</sup> (1,076.42 sq. ft.) GFA for office uses 1.25 spaces per unit for a dwelling unit in combination with an office	No change
Minimum depth of landscaped buffer measured from a lot line that is a street line	Nil	7.5 m (24.6 ft.)
Minimum Front Yard Landscaped Open Space	Nil	51%

**COMMUNITY ISSUES**

A community meeting was held by Ward 1 Councillor Carmen Corbasson on May 14, 2009. The following is a summary of issues raised by the community.

**Comment**

A question was raised by the property owner of 1424 Hurontario Street, the abutting property to the south, as to the proposed side yard setback to the parking area.

**Response**

The applicant indicated that the existing parking area abutting the property to the south is proposed to be reconfigured and would be setback a distance of 5.3 m (17.39 ft.) to the side property line.

**Comment**

A concern was raised regarding whether new lighting or lighting posts would be introduced in the front yard.

**Response**

The concept plan submitted by the applicant does not indicate that lighting posts are proposed within the front yard or parking area. The City also requires that any proposed lighting be directed entirely onto the site and not infringe upon adjacent properties.

**DEVELOPMENT ISSUES**

Agency comments are summarized in Appendix I-5. Based on the comments received and the applicable Mississauga Plan policies the following matters will have to be addressed:

- the identification of any sustainable green technology to be used in the proposed development.

**OTHER INFORMATION**

**Development Requirements**

In conjunction with the proposed development, there are certain other engineering and conservation matters with respect to appropriate curbing, the future oversizing of the storm sewer on Hurontario Street, and on-site storm water management techniques which will need to be addressed and may require the applicant to enter into appropriate agreements with the City.

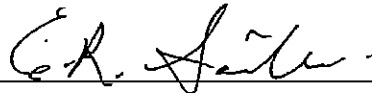
**FINANCIAL IMPACT:**

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

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

**ATTACHMENTS:**

- Appendix I-1 - Site History
- Appendix I-2 - Excerpt of Mineola District Land Use Map
- Appendix I-3 - Excerpt of Existing Land Use Map
- Appendix I-4 - Aerial Photograph
- Appendix I-5 - Agency Comments
- Appendix I-6 - Concept Plan
- Appendix I-7 - Photograph
- Appendix I-8 - Mineola District Special Site 2 Policies as revised  
by OPA 62
- Appendix I-9 - General Context Map



Edward R. Sajecki  
Commissioner of Planning and Building

*Prepared By: David Breveglieri, Development Planner*

Kris and Beata Kratiuk

File: OZ 07/021 W1

**Site History**

- April 5, 1984 – A minor variance application was refused by the Committee of Adjustment under file 'A' 478/83 requesting permission to use a portion of the subject residence as an office;
- August 9, 1984 – A minor variance application was approved under file 'A' 350/84 permitting the establishment a resident chiropractic practice in the subject dwelling being within 800 m (2,624.6 ft.) of an existing medical office for a temporary period of 5 years;
- May 31, 1985 – A Site Plan application was approved under file SP 84/194 W1 permitting the establishment of a resident chiropractic clinic;
- September 28, 1989 – A minor variance application was approved under file 'A' 600/89 permitting the continuation of the resident chiropractic practice previously approved under file 'A' 350/84 with the decision made personal to the operator and with no time restriction;
- April 4, 2002 – A minor variance application was approved under file 'A' 112/02 permitting an office use within the subject residence for a temporary period of 2 years subject to the office being no larger than 100 m<sup>2</sup> (1,076 sq. ft.), there being a maximum of 4 employees, and the dwelling being the primary residence of the applicant;
- June 3, 2004 – A minor variance application was approved under file 'A' 245/04 permitting the continuation of an office use within the subject residence for a temporary period of 1 year (to June 30, 2005) subject to the conditions as previously imposed and to the applicant submitting a rezoning application;
- June 20, 2007 – Zoning By-law 0225-2007 came into force except for those sites which were appealed. As no appeals were filed, the provisions of the new By-law apply. The subject lands are zoned "R2-5" (Detached Dwelling);
- May 6, 2008 – Official Plan Amendment (OPA) 62 came into force which revised the Special Site 2 policies for the Mineola District.

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

- Residential - Low Density I
- Residential - Low Density II
- Residential - Medium Density I
- Convenience Commercial
- Motor Vehicle Commercial
- Office
- Open Space
- Greenbelt
- Utility
- Provincial Highway and Interchange
- Arterial
- Major Collector
- Major Collector (Scenic Route)
- Minor Collector
- Local Road
- Existing Commuter Rail
- GO Transit Station
- Major Transit Corridor

**LAND USE LEGEND**

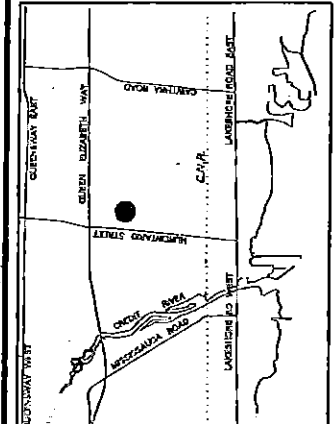
- Regulatory Floodplain
- Planning District
- Special Site Areas (See Special Site Policies)
- SUBJECT LANDS



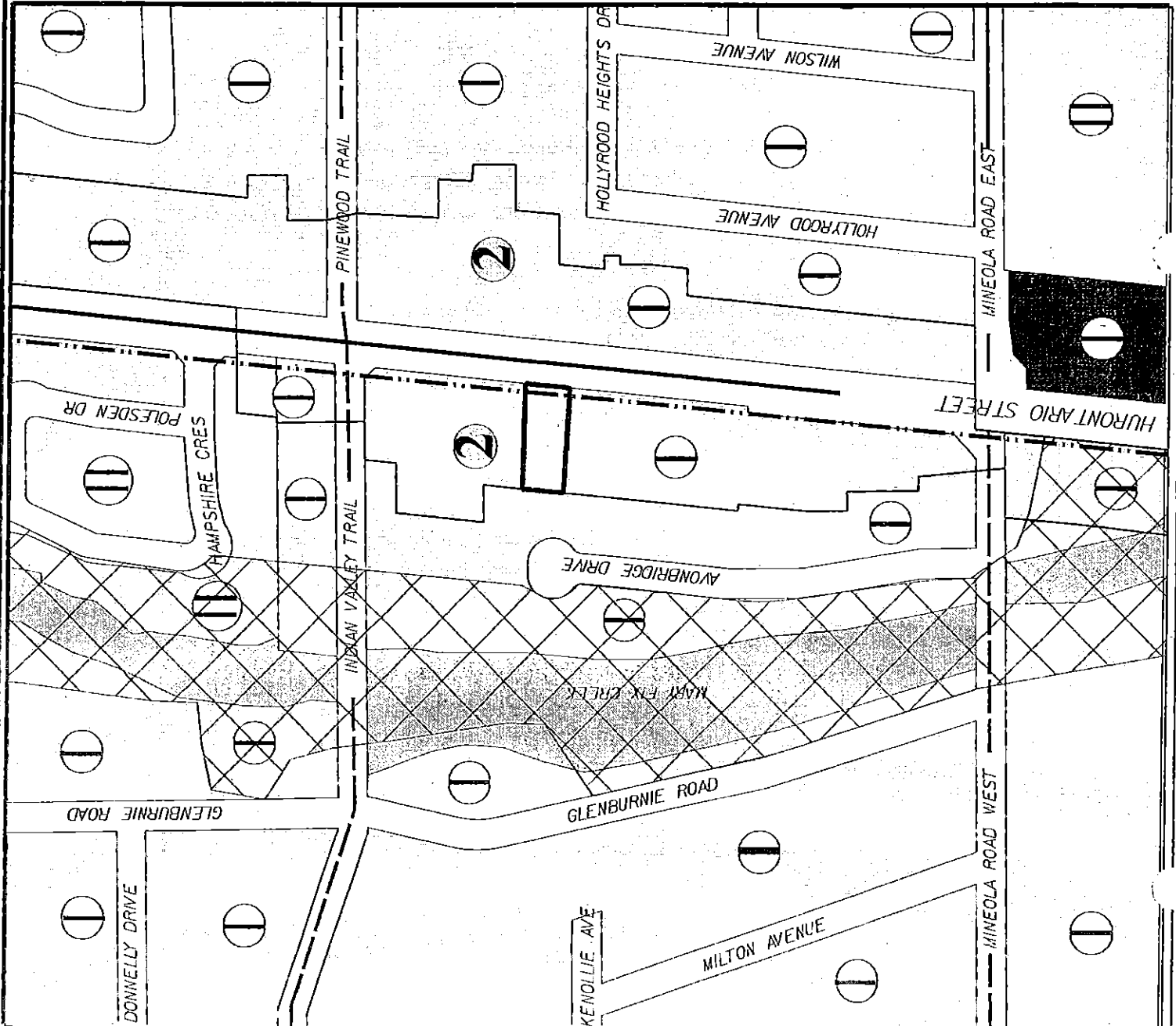
**SUBJECT:** BEATA AND KRIS KRATIUK

FILE NO: OZ 07.021 W1	SCALE: NTS	PDC DATE: 2009 05 19	DRAWN BY: K. PROKOP
DWG. NO: 07021L			

APPENDIX I-2



Produced by  
**MISSISSAUGA**  
Planning and Building  
T&W, Inc.



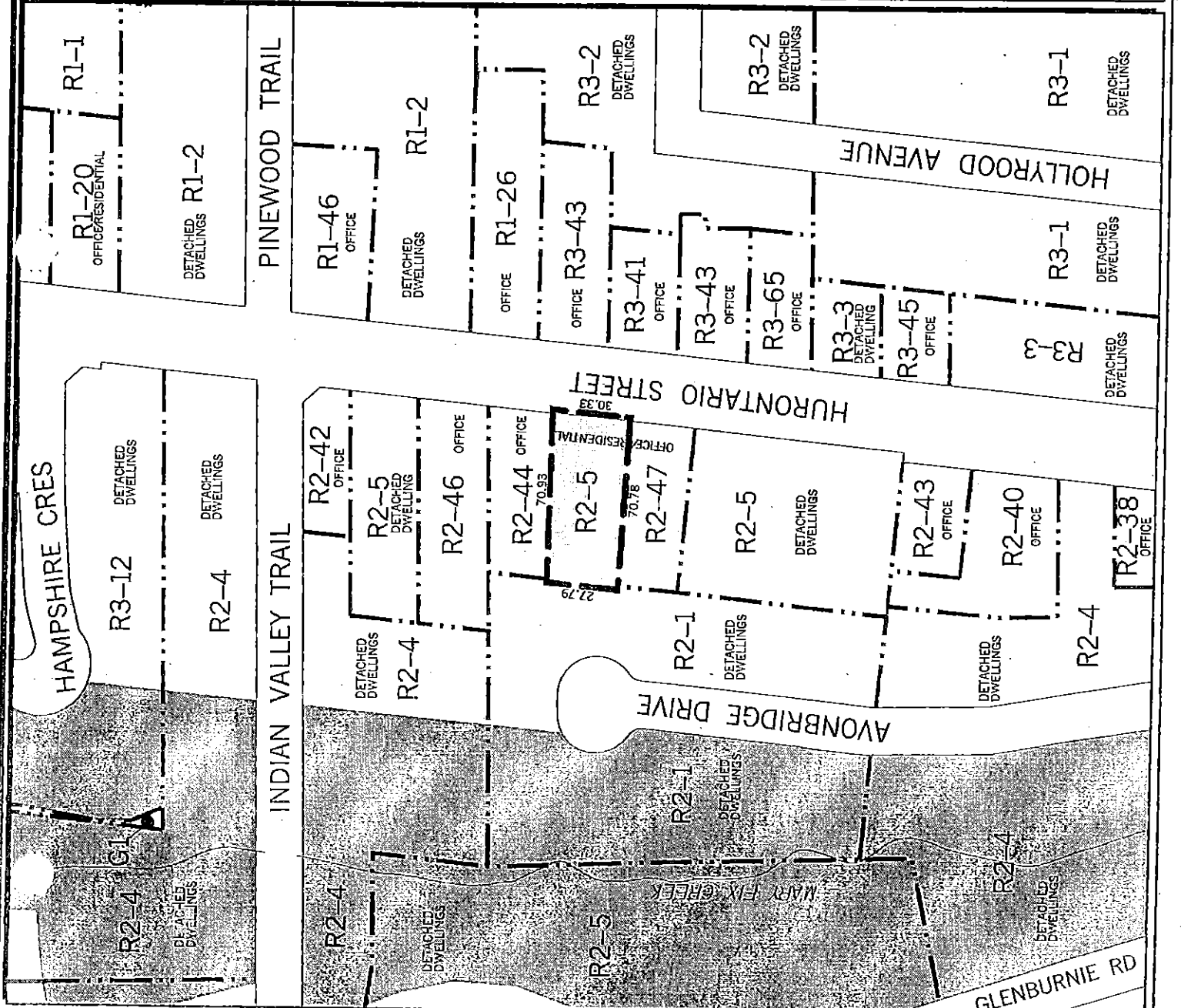
LEGEND:

PROPOSED OFFICIAL PLAN AMENDMENT FROM 'RESIDENTIAL-LOW DENSITY 1-SPECIAL SITE 2' TO 'RESIDENTIAL-LOW DENSITY 1-SPECIAL SITE 2, AS AMENDED' AND PROPOSED REZONING FROM 'R2-5' (DETACHED DWELLING) TO 'R2-EXCEPTION' (RESIDENTIAL AND OFFICE) USES EXCLUDING MEDICAL AND REAL ESTATE OFFICE.

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

SUBJECT: BEATA AND KRIS KRATIUK

FILE NO:	OZ 07021 W1	APPENDIX I-3
DWG. NO:	07021R	
SCALE:	1:2500	PDC DATE:
		2009 06 15
		DRAWN BY:
		K. PROKOP
Produced by		T&W, Geomatics
MISSISSAUGA		Planning and Building



LEGEND:



SUBJECT LANDS

DATE OF AERIAL PHOTO: 2009 03



SUBJECT:

BEATA AND KRIS KRATIUK

FILE NO:

OZ 07021 W1

DWG. NO:

07021A

SCALE:

1:2500

PDC DATE:

2009 06 15

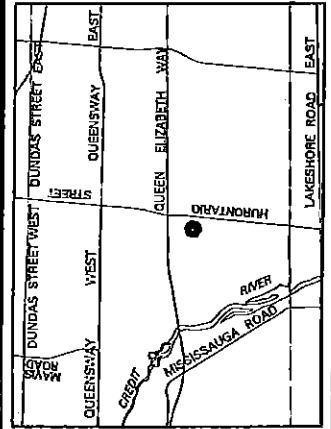
DRAWN BY:

K. PROKOP

APPENDIX I-4

Produced by  
T&W, Inc.

MISSISSAUGA  
Planning and Building





Kris and Beata Kratiuk

File: OZ 07/021 W1

## Agency Comments

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

Agency / Comment Date	Comment
Region of Peel (April 6, 2009)	<p>The Region has no objection to the approval of the subject applications and provides the following comments:</p> <p>An existing 450 mm (18 in.) diameter watermain and a 250 mm (10 in.) diameter sanitary sewer are located on Hurontario Street.</p> <p>The subject land is not located within the vicinity of a landfill site.</p> <p>The applicant is advised that curb side collection will be provided by the Region of Peel. Mixed use buildings found in residential areas will be subject to the Region's current bag limit. Curb side collection will be provided for the residential waste, while a private hauler will be required for the business waste. Residential waste must be separated from business waste, and must be clearly identifiable.</p>
City Community Services Department – Planning, Development and Business Services Division (April 3, 2009)	<p>In the event that the applications are approved, this Department will require payment for street tree contributions.</p>
City Transportation and Works Department (February 28, 2009)	<p>The applicant has been requested to revise the Site Grading and Servicing Plan to address modifications to the vehicular/pedestrian access arrangement proposed within the municipal boulevard. In addition, the applicant has been requested to provide this Department with an analysis of the existing Hurontario Street storm sewer.</p> <p>Further detailed comments/conditions will be provided prior to the Supplementary Meeting pending receipt and review of the foregoing.</p>

Kris and Beata Kratiuk

File: OZ 07/021 W1

Agency / Comment Date	Comment
Mississauga Transit (April 5, 2009)	<p>This site is currently serviced by Mississauga Transit Routes 202, 19, and 19A on Hurontario Street; and Route 8 on Mineola Road.</p> <p>Hurontario Street has been identified as having the potential for higher order transit.</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 Department – Fire and Emergency Services Division  Economic Development Office  Enbridge Gas Distribution Inc.  Enersource Hydro Mississauga  Hydro One  Ministry of Transportation  Canada Post Corporation</p>
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <p>Peel Regional Police  Rogers Cable  Bell Canada</p>

HURONTARIO STREET  
(THE KING'S HIGHWAY NO. 10)

WIDENING BY DEPOSITED PLAN 125919  
(MTO FILE P-1659-42)

PART  
PLAN 23R-19532

PN 13459-0187

LOT 2  
FRANCE  
CREDIT INDIAN RESERVE

PN 13459-0056

PN 13459-0055

PN 13459-0054

PLAN 125919

PN 13459-0032

PN 13459-0033

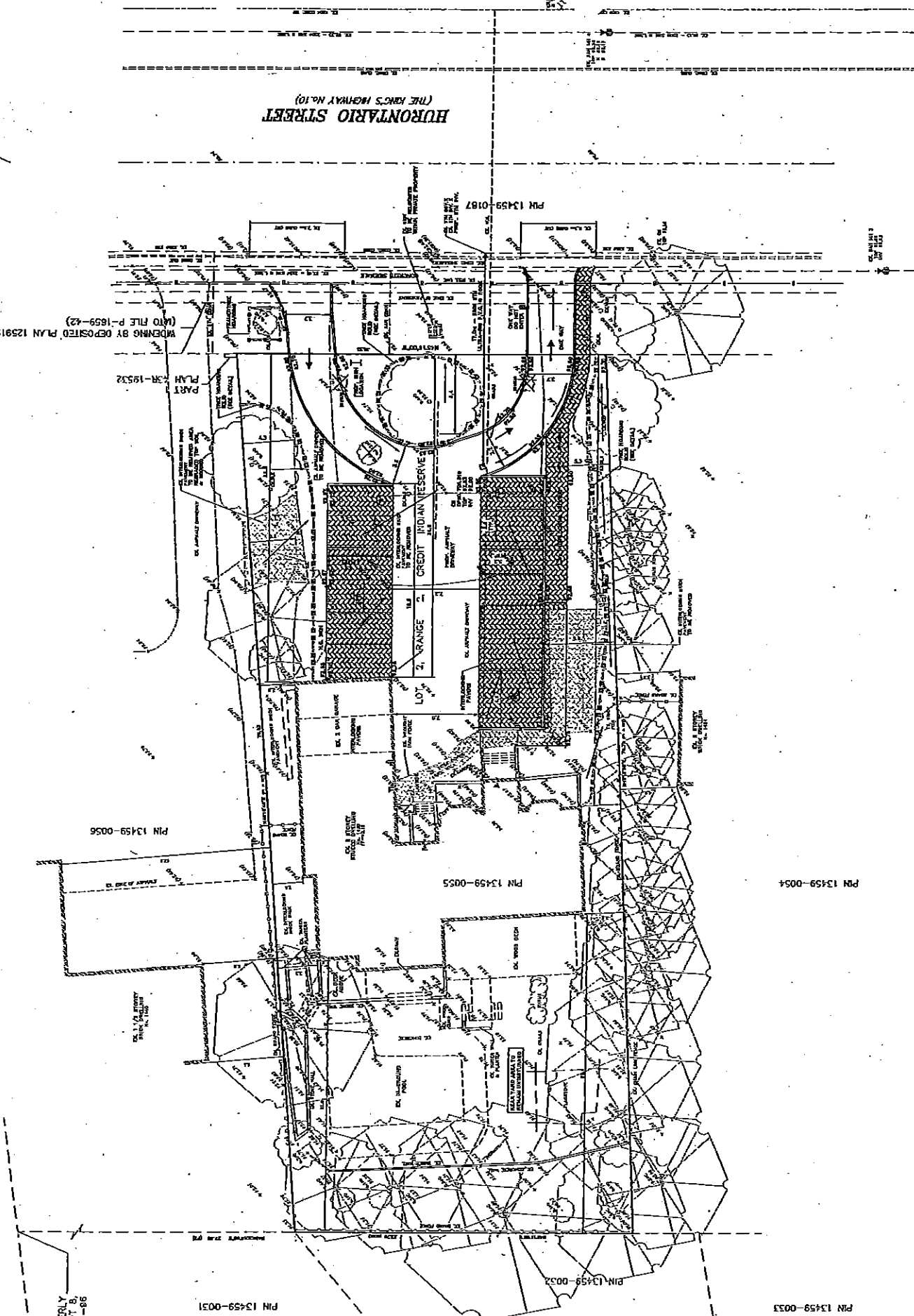
LOST NORTHERLY  
ANGLE OF LOT B,  
RED PLAN M-86

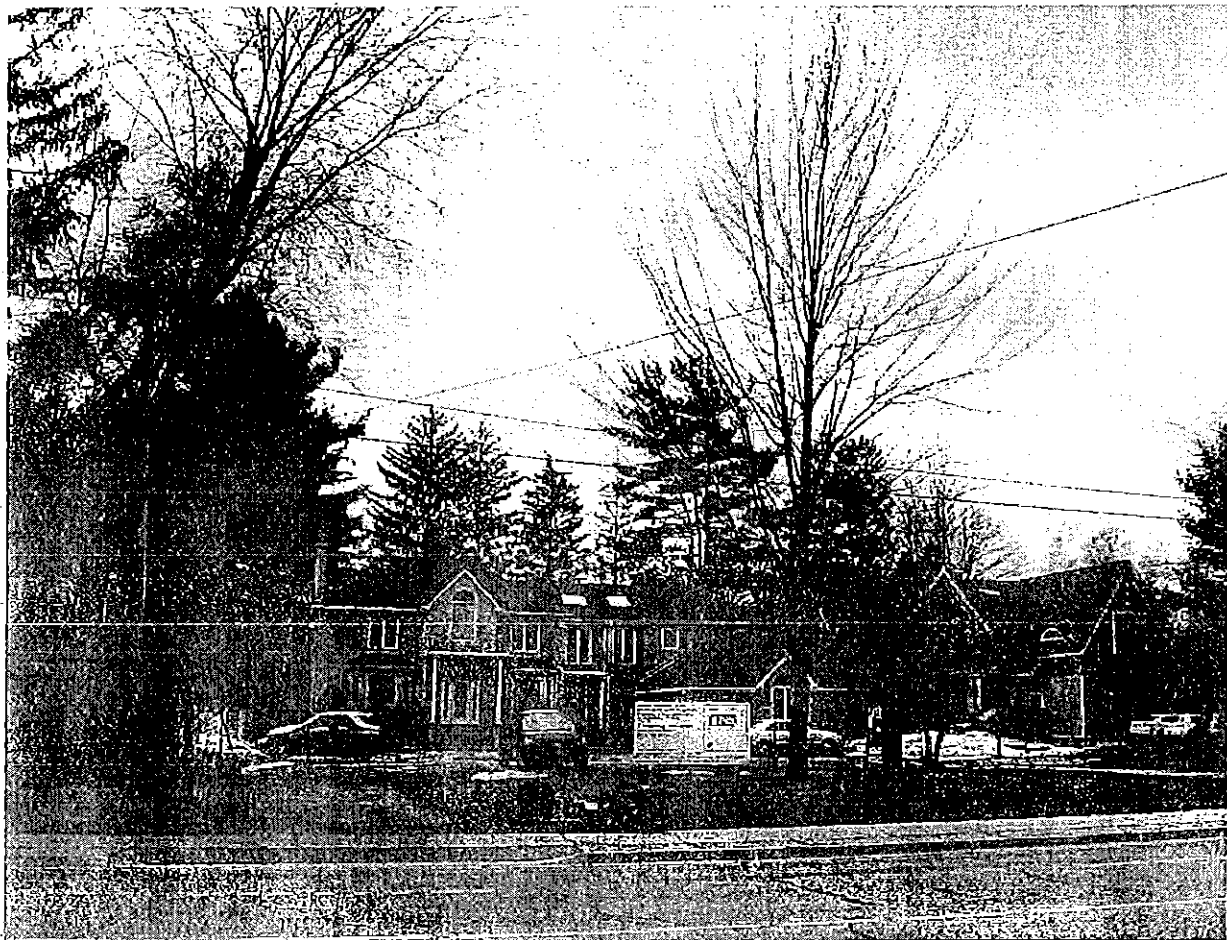
PN 13459-0031

LOT 8

REGISTERED PLAN M-96  
LOT 7

LOT 6





**Kris and Beata Kratiuk**

**File: OZ 07/021 W1**

**Mineola District Special Site 2 Policies as revised by OPA 62**

Notwithstanding the provisions of the Residential Low Density I designation, the following additional policies will apply:

- a. The following uses will also be permitted:
  - offices, provided that medical offices are used for the consultation, examination or therapeutical treatment by a physician, dentist, drugless practitioner or health professional licensed by the Province of Ontario. Medical offices may not include hospitals or other accessory medical uses such as, laboratories, diagnostic facilities for medical and dental purposes, a drug and optical dispensary, nor a medical supply and equipment store;
  - a detached dwelling containing a maximum of one dwelling unit in combination with office uses.
- b. retail commercial uses, which include personal service uses, will not be permitted as a primary or as an accessory use.
- c. all buildings used for office or residential office purposes, whether new or modified, will have a residential appearance which is compatible with the form, design, and scale of the surrounding residential area. All development will be designed so that it does not negatively impact abutting properties used for residential purposes, in terms of light, privacy, noise and rear yard amenity.
- d. the use must be of a nature and intensity that results in a parking demand which does not negatively impact the function of Hurontario Street nor abutting local roads. In this regard, applicants for rezoning will be required to demonstrate, through the submission of traffic studies, parking justification studies and business operation information, that the proposed use is suitable for its location. Developments which result in a reduced parking demand are preferred.
- e. all office-related parking will be accommodated within the front and side yards only with a minimal loss of vegetation or in underground facilities. Rear yard parking, with the exception of parking for residential dwellings, is not permitted. Surface parking areas are permitted to be constructed of permeable materials in order to achieve sustainable and urban design objectives and reduce impacts on drainage and grading systems. The portion of the access driveway within the road allowance is to be constructed of hard surface pavement.
- f. where appropriate, mutual driveway access will be permitted between abutting property owners provided this arrangement is registered on title.

Kris and Beata Kratiuk

File: OZ 07/021 W1

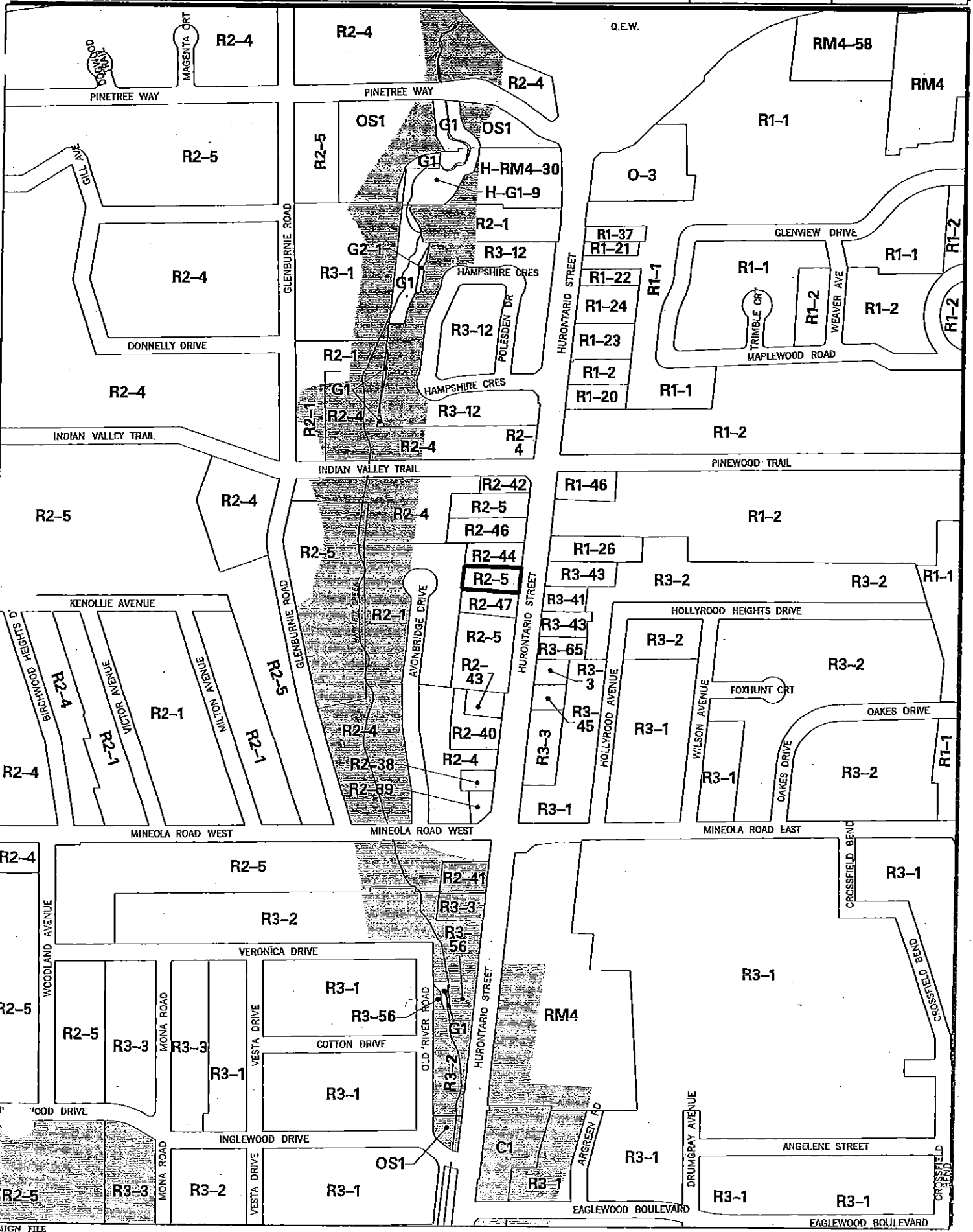
**Mineola District Special Site 2 Policies as revised by OPA 62**

- g. for developments located at intersections, access to the minor streets will be discouraged, and where technically feasible, access will be permitted on Hurontario Street.
- h. street frontages are required to be enhanced with landscaping to reflect Hurontario Street's role as a gateway to the Mineola and Port Credit Districts. On-site parking areas should not dominate the streetscape and are required to be appropriately screened by vegetation and landscape treatments which are complementary to the character of the area. In this regard the following will also apply:
- a minimum of 40% of the front yard of interior lots, will be landscaped open space. Landscaped open space may include pedestrian walkways but will exclude paved parking areas;
  - corner lots will provide a total minimum landscaped open space area of 40% of the lot;
  - a landscape buffer ranging from 4.5 m (14.8 ft.) to 7.5 m (24.6 ft.) in depth will be provided along the Hurontario Street frontage; and
  - a minimum landscape buffer of 4.5 m (14.8 ft.) in depth will be provided along side street frontages adjacent to parking areas.
- i. New or modified office or residential-office buildings will not exceed:
- 420 m<sup>2</sup> (4,521. sq. ft.) Gross Floor Area (GFA);
  - a maximum lot coverage of 25%;
  - a maximum building height of two storeys and a 10.7 m (35.1 ft.) mean height level between the eaves and the ridge of a sloped roof or 7.5 m (24.6 ft.) to the highest point of the surface of a flat roof.
- j. The following yards are required for office or residential-office buildings:
- minimum 1.8 m (5.9 ft.) side yard for a one storey building;
  - minimum 2.4 m (7.8 ft.) side yard for a two storey building;
  - minimum 7.5 m (24.6 ft.) rear yard;
  - maximum front yard equivalent to 50% of the lot depth.

GENERAL CONTEXT MAP

OZ 07021 W1

APPENDIX 1-9



DESIGN FILE

Kris and Beata Kratiuk

File: OZ 07/021 W1

**Recommendation PDC-0058-2009**

PDC-0058-2009

- "1. That the Report dated May 26, 2009, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Residential Low Density I - Special Site 2" to "Residential Low Density I - Special Site 2, as amended" and to change the Zoning from "R2-5" (Detached Dwelling) to "R2-Exception" (Office and Residential), to permit residential and office uses, excluding medical and real estate offices, within a converted detached dwelling under file OZ 07/021 W1, Kris and Beata Kratiuk, 1430 Hurontario Street, be received for information, and notwithstanding planning protocol, that the supplementary report be brought directly to a future Council meeting.
2. That correspondence from M. Chopra dated June 5, 2009 with respect to applications under file OZ 07/021 W1, be received."