



Corporate Report

Clerk's Files

Originator's
Files OZ 05/007 W3
T-M05005 W3

DATE: May 9, 2006

TO: Chair and Members of Planning and Development Committee
Meeting Date: May 29, 2006

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Rezoning and Draft Plan of Subdivision Applications
To permit 46 semi-detached dwellings and 1 detached dwelling
3669 Tomken Road
Part of Lot 8, Concession 1, N.D.S. and Block A, Plan 800
East side of Tomken Road, south of Burnhamthorpe Road East
Owner: Weldan Properties Tomken Inc.
Applicant: Glen Broll, Glen Schnaar & Associates Inc.
Bill 20**

Supplementary Report **Ward 3**

RECOMMENDATION: That the Report dated May 9, 2006, from the Commissioner of Planning and Building recommending approval of the applications under Files OZ 05/007 W3 and T-M05005 W3, Weldan Properties Tomken Inc., 3669 Tomken Road, Part of Lot 8, Concession 1, N.D.S. and Block A, Plan 800, east side of Tomken Road, south of Burnhamthorpe Road East, be adopted in accordance with the following:

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

further notice regarding the proposed amendments are hereby waived.

2. That the application to change the Zoning from "R4" (Detached Residential) and "RM1" (Semi-detached Residential) to "R5" (Detached Residential) and "RGM2-Special Section" (Residential Semi-detached Garage Control Zone) to permit one detached dwelling and 46 semi-detached dwellings in accordance with the proposed zoning standards described in the Supplementary Report, be approved subject to the following conditions:
 - (a) That the plan of subdivision be draft approved.
 - (b) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the 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 School Boards not apply to the subject lands.
 - (d) That in accordance with CPD Recommendation 121-91, as approved by Council Resolution 160-91, that a minimum of three car spaces per dwelling, including those in a garage be required on-site and a minimum of 0.25 on-street visitor parking spaces per dwelling be required for dwellings on lots less than 12 m (39.4 ft.) of frontage for the subject development.
 - (e) For those situations where a split drainage scheme is incorporated into the design of each lot, the minimum side yard on one side may be 0.9 m (3 ft.), provided that a minimum separation of 2.4 m (8 ft.) is maintained between dwellings on the opposite side.
3. That in the event the draft comprehensive zoning by-law is passed prior to the adoption of an amending zoning by-law to

By-law 5500 for the subject lands, that a site specific by-law be brought forward which will have the effect of rezoning the subject lands from "R3" (Detached Dwellings-Typical Lots) and "RM1" (Semi-detached Dwellings) to "R5-Special Section" (Detached Dwellings-Typical Lots) and "RM2-Special Section" (Semi-detached Dwellings), subject to the provisions as outlined in Recommendation Number Two.

4. That the Plan of Subdivision under file T-M05005 W3, be recommended for approval subject to the conditions of draft plan approval identified in Appendix S-5 from the Commissioner of Planning and Building, and those from any other agency.
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 36 months of the Council decision.

BACKGROUND:

A public meeting was held by the Planning and Development Committee on September 6, 2005, 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-0091-2005 which was subsequently adopted by Council and is attached as Appendix S-2.

In letters dated February 13, 2006, a representative of the applicant referred the subject applications to the Ontario Municipal Board (OMB) for failure on the City's part in enacting an implementing zoning by-law amendment and providing approval of the draft plan of subdivision within the specified processing times as set out in the *Planning Act*.

In a letter dated February 20, 2006, the applicant amended the subject applications by deleting a semi-detached block on the eastern portion of the draft plan and replacing it with a detached dwelling, under a proposed "R5" (Detached Residential) zoning. Accordingly, the unit count has been reduced from 48 to 47 dwellings (see Appendix S-3 for revised plan). The revised plan,

dated March 14, 2006, as well includes a 3.0 m (9.8 ft.) walkway connection from the lands to Tomken Road.

COMMENTS:

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

COMMUNITY ISSUES

On June 6, 2005, a Community Meeting was conducted by the Ward Councillor in which a number of issues were raised (see Appendix S-1 for details on concerns noted and answers provided). Given the number of matters that were identified at the meeting, and at the subsequent September 6, 2005 Planning and Development Committee meeting, a Focus Group was convened by the Ward Councillor which included a number of concerned area residents, staff representatives, and the applicant where required. Meetings were conducted on the following dates: November 8, 2005, December 6, 2005, January 10, 2005 and February 21, 2006. At the meetings, a number of suggestions were made to the applicant for their consideration, including a reduction in unit count, alternative road patterns, and incorporation of a transition in lot frontages. In response, the applicant amended their applications as noted above.

UPDATED CITY DEPARTMENT COMMENTS**City Community Services Department - Planning and Administration Division**

Comments updated February 20, 2006, state that an acceptable archaeological assessment has been submitted to the Ontario Ministry of Culture.

City Transportation and Works Department

Comments updated March 31, 2006 state that the findings of the Noise Control Feasibility Study dated, March 24, 2005 by S. S. Wilson and Associates have been reviewed and are acceptable. The report indicates the requirement of a 2.2 m high berm/fence barrier along Tomken Road, provision for future central air conditioning and the applicable warning clauses to

address traffic noise from local roads. The report also analysed stationary noise sources from the mechanical ventilation systems on the commercial building to the north and concluded that retrofit noise control measures are required to comply with Ministry of Environment (MOE) criteria for the proposed residential receptor locations. The applicant has provided this Department written confirmation from the adjacent commercial plaza owners agreeing to the retrofit noise control measures as per the recommendations of the Noise Study.

The applicant has revised the Draft Plan to include a standard 3.0 m (10 ft.) pedestrian walkway to Tomken Road and a 1.5 m (5 ft.) buffer block along the Tomken Road frontage of the plan to accommodate the required 0.4 m (1.3 ft.) berm and 1.8 m (6.0 ft.) acoustical fence. The Transportation and Works Department is also in receipt of a Parking Plan that shows a satisfactory conceptual proposal for the extension of Twinmaple Drive, illustrating the required 3 parking spaces on-site and 0.25/unit visitor on-street parking arrangement as well as incorporating a sidewalk on both sides of the road. In addition, a storm drainage servicing proposal has been submitted and reviewed to the satisfaction of this Department.

In the event that these applications are approved by Council, the owner will be required to make satisfactory arrangements with the City for the construction of the extension of Twinmaple Drive in conformity to the existing road cross-section, including a sidewalk on both sides.

PLANNING COMMENTS

Official Plan

Within the Mississauga Plan Policies for the Applewood District, the subject lands are designated “Residential - Low Density II” which permits detached, semi-detached and duplex dwellings at a density range of 18-50 units per net residential hectare (7-20 units per net residential acre). As the proposal is for single and semi-detached dwellings at a density range of 31.5 units per net residential hectare (12.7 units per net residential acre), the subject

applications are in conformity with the land use designation of the Official Plan.

Mississauga Plan also contains policies which address the development of lands for residential purposes. The following policies are relevant in reviewing the subject rezoning and draft plan of subdivision applications:

Section 3.2.3.1: Residential lands will be developed to achieve a compact, orderly urban form generally characterized by lower densities in the interior of communities and higher densities along major roads and near concentrations of commercial, community, and transportation facilities.

Section 3.2.3.2, in part: High quality and innovative residential design will be promoted in a form which reinforces and enhances the local community character, respects its immediate context and creates a quality living environment. Innovative housing types and zoning standards will be encouraged. Design issues related to built form, scale, massing, orientation, parking, overshadowing, and the quantity and quality of open space will be priorities in assessing the merits of residential development.

The proposed development will result in the completion of a neighbourhood through the connection of local streets and sidewalks. The surrounding residential community was first developed over thirty-five years ago, directly abutting the landscape and garden centre business that once operated on the subject lands. It was recognized, however, that these lands would ultimately be developed for residential uses, having being designated for this purpose since 1963. At that time, a portion of the lands permitted apartment buildings. Through successive Official Plan changes, the scale of development contemplated for the lands has decreased from apartments, to townhouses, to the now permitted detached, semi-detached and duplex dwellings (see Appendix S-4 for details).

In reviewing the subject applications against the above noted policies, staff have no objection to the development of the lands for the proposed single and semi-detached dwellings. The draft plan of subdivision as modified, incorporates a number of design and

layout features which address issues raised by both the community and the technical comments provided on the applications, as well as being in conformity with the Official Plan. The following is a descriptive analysis on the details of conformity with the Official Plan and the reasons for staff support for the applications.

Density and Land Use Compatibility

Lands to the east and south of the subject property have been developed predominantly for semi-detached dwellings, with a minimum frontage of 18 m (59 ft.), and at an approximate net density of 23.2 uph (9.4 upa). Their construction took place at a time when land was at less of a premium and consideration for development that would maximize the use of transit and existing infrastructure for both hard and soft services was not a high priority. Accordingly, both property widths and building setbacks for these dwellings are larger than what is typically constructed under today's standards.

The proposed semi-detached blocks will have a minimum frontage of 13.6 m (45 ft.) and a net density of 31.5 uph (12.7 upa). This standard is reflective of semi-detached dwellings that have been constructed across the City in many neighbourhoods. Although these lot widths are smaller, they remain in general keeping with the scale and character of the existing residential community to the south and east. If the development pattern was to be reflective of the standards that apply to the existing lots, the yield would be approximately 32 units, a decrease of 15 dwellings. The built form of homes constructed on these lots, however, would look out of scale with the adjacent existing development given the tendency of developers today to maximize building footprints by constructing as close to the property lines as possible. If additional restrictions on side yard setbacks and maximum floor areas to replicate the surrounding development pattern were implemented, it could result in a project that is not economically viable in the current housing market.

Transition of Land Uses

As noted previously, lands to the east and south have been developed predominantly for larger lot semi-detached dwellings.

A commercial plaza is located to the north of the property at the southeast corner of Tomken Road and Burnhamthorpe Road East (both classified as arterial roads). The proposal provides a transition between the commercial plaza and the larger lots to the southeast, which is consistent with the above noted policies and supports increased transit usage.

Road Pattern

The road configuration for the draft plan is proposed to connect directly into the two existing end points of Twinmaple Drive. For some time, the existence of disjointed roads with the same name has caused confusion for visitors, delivery people and, in particular, emergency services. The development of the lands will allow for the appropriate flow of both vehicular and pedestrian traffic through the entire neighbourhood. As noted in Appendix S-1, the traffic generated by the proposed development and the connection of Twinmaple Drive will have minimal impact on the surrounding road network. Staff have noted that it is not advisable to provide for a direct connection from the subject lands to Tomken Road, which will create cut-through traffic patterns in the community.

Building Heights

The applicant has advised that all dwellings within the development will be two storeys in height, with the exception of those which directly abut the plaza at the northwest corner of the plan. Three storeys may be required here to achieve an acceptable floor design, given the reduced depth of the lots in this area (Lots 5 to 11). Two storey homes are consistent with the built form in the surrounding community, and a critical point in ensuring that the development respects the immediate context of the area. It is recommended that the implementing zoning by-law specify the maximum heights permitted in the plan. It is also recommended that the by-law require the incorporation of appropriate side yard setbacks to the existing residential.

Council Parking Resolution

To address parking problems in neighbourhoods across the City, Council in 1998, adopted Resolution Number 152-98 which specifies that for dwellings on lots having less than 12.0 m (39.4 ft.) of frontage, a minimum of three spaces per dwelling be required on-site (including the garage), in conjunction with a minimum of 0.25 on-street visitor spaces. This standard did not apply to the surrounding residential community, which was constructed prior to adoption of the resolution.

Parking and preliminary lot plans provided for the subject lands indicate that the depth of the lots will allow for the required three parking spaces per dwelling to be accommodated in a tandem fashion, including a single car garage. This arrangement will maximize the amount of front yard green space available, and ensure enough room for street tree plantings. Double car garages and driveways are not in the same character as the surrounding community, and would substantially increase the hard surface area in front of the house. Through the review of the engineering submissions filed in support of the draft plan, staff will ensure the above measures are accommodated.

Sidewalk Connections

The revisions made by the applicant to replace a semi-detached block with a detached dwelling has ensured that room will exist to accommodate a continuous sidewalk connection on both sides of the street, consistent with the adjoining lands. In addition, the applicant is providing a walkway to Tomken Road for access to transit stops at the intersection of Tomken Road and Burnhamthorpe Road East, schools, and commercial centres.

Overlook Condition

Lots which are proposed to abut existing residential dwellings to the south incorporate potential rear yard setbacks that range between 15 m (49 ft.) and 26 m (85.3 ft.), and will be restricted to two storeys in height. Accordingly, overlook conditions will not be an issue in this situation.

Zoning

The applicant is proposing to rezone the lands from "R4" (Detached Residential) and "RM1" (Semi-detached Residential) to "R5" (Detached Residential) and "RGM2-Special Section" (Residential Semi-detached Garage Control Zone). These zones are appropriate to accommodate the proposed uses as follows:

- "R5" (Detached Residential): In accordance with the standard "R5" zone provisions which permits detached dwellings having a minimum frontage of 9.75 m (32.0 ft.), a minimum lot area of 295 m² (3,175 sq. ft.), and a side yard setback of 1.2 m (3.9 ft.) on one side and 0.61 m (2.0 ft.) on the other side. The 1.2 m (3.9 ft.) setback shall apply to the yard abutting the existing detached dwelling to the east.
- "RGM2-Special Section" (Residential Semi-detached Garage Control Zone): In accordance with the standard "RGM2" zone provisions with the exception of the following:
 - a minimum front yard setback of 6.0 m (19.7 ft.), whereas 4.5 m (14.7 ft.) is required;
 - minimum side yard setback of 0.9 m (2.9 ft.), whereas 1.2 m (3.9 ft.) on one side and 0.61 m (2.0 ft.) on the other side is required.
 - maximum building height for all lots of two storeys.

For lots 5 through to 11, the following exceptions to the above shall apply, given the limited room available for these lots, directly abutting the commercial plaza:

- maximum building height of three storeys; permitted for lots 5 through to 11;
- a minimum front yard setback of 4.5 m (14.7 ft.).

To provide for an appropriate setback for exiting semi-detached dwellings to the south, the following standard shall also apply to Lot 23 and Block A, Registered Plan 800:

- minimum interior side yard setback of 1.8 m (5.9 ft.), required along the southern lot boundary, which is consistent with the zoning for lots to the south.

Staff have no objection to the above noted single and semi-detached residential zoning provisions requested as they are consistent with the proposed Official Plan designation as noted above. The proposed zoning is appropriate to accommodate the single and semi-detached uses contemplated for the lands.

Draft Plan of Subdivision

The proposed draft plan of subdivision was reviewed by City Departments and agencies and is acceptable subject to certain conditions (see Appendix S-5). All development will be subject to the completion of services and registration of the plan. Matters that will be addressed by staff through the review of the servicing and development agreements and engineering documentation to be provided include the following:

- That all driveways and associated curb cuts function in tandem;
- Appropriate room is reserved for street tree planting programs;
- Accommodation is provided for the required numbers of both on-street visitor and driveway parking, as per Council Resolution 152-98;
- Proper placement of buildings along the street to ensure an appropriate transition in setbacks between the existing and proposed residential development;
- That all grading contemplated for the lands will not effect current drainage patterns and arrangements on adjacent properties;
- That appropriate warning clauses are placed in the agreements that speak to noise generated by the commercial plaza to the north;
- The submission of security to ensure that work proposed to mitigate noise from the commercial plaza as required by the noise study is completed to the satisfaction of the City;
- The appropriate design and landscaping of the berm and fence combination along Tomken Road.

FINANCIAL IMPACT:

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

CONCLUSION:

In accordance with subsection 34(17) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, Council is given authority to determine if further public notice is required. The applicant has amended their applications to replace a semi-detached block with a detached dwelling, under an "R5" (Detached Residential) zoning. It is recommended that no further public meeting need be held regarding the proposed change.

The proposed rezoning and draft plan of subdivision applications are acceptable from a planning standpoint and should be approved for the following reasons:

1. The proposal for one detached and 46 semi-detached dwellings is compatible with surrounding land uses and provides a transition between the commercial plaza to the north and the existing homes to the south. It is in keeping with the scale and character of the existing residential area, by incorporating design features that include a maximum building height, tandem driveways to reduce the impact of parking on green space, and deep rear lots.
2. The proposed zoning standards which speak to minimum lot frontage and front and side yard setbacks are appropriate to accommodate the requested uses, and are consistent with the provisions of Mississauga Plan.

ATTACHMENTS:

Appendix S-1 - Information Report
Appendix S-2 - Recommendation PDC-0091-2005
Appendix S-3 - Revised Draft Plan of Subdivision
Appendix S-4 - Historical Official Plan Designations
Appendix S-5 - Conditions of Draft Plan Approval
Appendix S-6 - Building Elevations, Two Storey Dwellings
Appendix S-7 - Building Elevations, Three Storey Dwellings

Edward R. Sajecki
Commissioner of Planning and Building



Corporate Report

Clerk's Files

Originator's

Files OZ 05/007 W3
T-M05005 W3

PDC SEP 6 2005

DATE: August 16, 2005

TO: Chair and Members of Planning and Development Committee
Meeting Date: September 6, 2005

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Rezoning and Draft Plan of Subdivision Applications
To permit 48 semi-detached dwellings
3669 Tomken Road
Part of Lot 8, Concession 1, N.D.S., and Block A, Plan 800
East side of Tomken Road, south of Burnhamthorpe Road East
Owner: Weldan Properties Tomken Inc.
Applicant: Glen Broll, Glen Schnaar & Associates Inc.
Bill 20

Public Meeting **Ward 3**

RECOMMENDATION: That the Report dated August 16, 2005, from the Commissioner of Planning and Building regarding the application to change the Zoning from "R4" (Detached Residential) and "RM1" (Semi-detached Residential) to "RGM2-Special Section" (Residential Semi-detached Garage Control Zone), in conjunction with a draft plan of subdivision, under files OZ 05/007 W3 and T-M05005 W3, Weldan Properties Tomken Inc., 3669 Tomken Road, Part of Lot 8, Concession 1, N.D.S., and Block A, Plan 800, be received for information.

BACKGROUND: Rezoning and draft plan of subdivision applications have been filed to permit 48 semi-detached dwellings, having an approximate

frontage for each block of 13.6 m (44.6 ft.). The development proposes to join the two ends of Twinmaple Drive.

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

COMMENTS:

Details of the proposal are as follows:

Development Proposal	
Applications submitted:	April 1, 2005
Height:	Maximum 3 storeys (maximum 10.7 m or 35 ft. in height)
Gross Density:	25.9 units/ha (10.5 units/acre)
Net Density:	32.2 units/ha (13.0 units/acre)
Number of units:	48 semi-detached dwellings
Anticipated Population:	168* *Average household sizes for all units (by type) for the year 2011 (city average) based on the 2003 Growth Forecasts for the City of Mississauga.
Parking Required:	144 spaces (3 spaces per unit including 1 in the garage)
Parking Provided:	144 spaces. The applicant will need to demonstrate that an additional 0.25 spaces per dwelling (42 spaces) can be provided on the road in accordance with Council Resolution #121-91.
Supporting Documents:	Planning Justification and Rationale Noise Impact Study Phase 1 and Phase 2 ESA

Site Characteristics	
Frontage:	131 m (430 ft.) abutting Tomken Road
Depth:	163 m (535 ft.)
Gross Lot Area:	1.85 ha (4.5 ac.)

Net Lot Area:	1.49 ha (3.7 ac.)
Existing Use:	Landscape and garden centre operation (Flower World Garden Centre)

Additional information is provided in Appendices I-1 to I-7.

Neighbourhood Context

The subject property is located in a mature neighbourhood which includes automotive and commercial uses fronting onto Burnhamthorpe Road East in conjunction with a range of residential densities including detached, semi-detached and townhouse dwellings in the immediate vicinity. A landscape and garden centre business has operated on the lands, with an associated residence, for approximately fifty years. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

- North: Commercial plaza, which includes a restaurant, travel agent and retail stores
- East: Semi-detached dwellings and a designated heritage home known as the Copland House
- South: Semi-detached dwellings
- West: Automotive repair garage, townhouse dwellings and detached dwellings

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

"**Residential - Low Density II**" which permits detached, semi-detached and duplex dwellings at a density range of 18-50 units per net residential hectare (7-20 units per net residential acre). The applications are in conformity with the land use designation.

Proposed Official Plan Designation and Policies

The applicant is not proposing any changes to the Official Plan.

Existing Zoning

"R4" (**Detached Residential**), which permits detached dwellings having a minimum frontage of 15 m (49.2 ft.);

"RM1" (**Semi-Detached Residential**), which permits semi-detached dwellings on lots having a minimum frontage of 18 m (59 ft.). The existing "RM1" zoning applies only to the remnant parcel of land from the plan of subdivision to the south of the subject lands, described as Block A, Plan 800 (see Appendix I-3).

Proposed Zoning By-law Amendment

The applicant has requested that the lands be rezoned to:

"RGM2-Special Section" (**Residential Semi-detached Garage Control Zone**), to permit semi-detached dwellings on lots having a minimum frontage of 13.6 m (45 ft.) and side yard setbacks of 0.9 m (3 ft.).

Proposed Draft Zoning By-law

The Planning and Building Department has prepared a new City-wide draft Zoning By-law. This draft zoning by-law was released for public, agency and departmental review and comment in January 2005. The public participation process, review of comments and updating of the draft document is ongoing throughout 2005.

The zoning for the subject lands under the new draft by-law is "R3" (Detached Residential). This proposed zone is consistent with the permitted uses and regulations contained within the existing "R4" (Detached Residential) zone. Should these applications be approved, a new "RM2-Exception" (Semi-detached Residential) zone would be required to reflect the site specific provisions sought through these applications.

Proposed Draft Plan of Subdivision

A draft plan of subdivision application has been filed reflecting 23 lots which would result in a total of 46 semi-detached dwellings. It

is proposed that an additional block be combined with a remnant parcel from the plan of subdivision to the immediate south of the subject lands to create two additional semi-detached dwellings, for a total of 48 semi-detached dwellings.

COMMUNITY ISSUES

A community meeting was held on June 6, 2005.

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

Comment

The proposal will result in an increase in density in the community, beyond the limits currently permitted for the existing zoning applying to the semi-detached units to the south and east.

Response

The semi-detached lots to the south require a minimum frontage of 18 m (60 ft.) while the subject semi-detached lots are proposed to have a minimum frontage of 13.6 m (45 ft.). The density of the proposed development is (32.2 uph or 13.0 upa) which conforms with the density range prescribed within the Official Plan policies. Compatibility of the development will be considered when a recommendation is made on the application.

Comment

The development may aggravate existing drainage patterns for existing lots that presently abut the subject lands.

Response

Issues relating to grading will be reviewed through the submission of servicing and grading plans as part of the draft plan of subdivision process.

Comment

A walkway connection should be provided from the development to Tomken Road to provide access to transit, schools and shopping.

Response

The applicant has committed to investigate the feasibility of providing a walkway connection.

Comment

The connection of Twinmaple Drive will create additional traffic in the area.

Response

The traffic generated by this development proposal will have minimal impact on the surrounding road network. As intended, Twinmaple Drive is to connect as a through street, which should assist in providing for more efficient traffic movements and emergency service responses. Furthermore, the implementation of its continuation will decrease municipal costs for road maintenance, snow ploughing, storage and possible removal; and reduce unnecessary vehicular turnaround movements.

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-5 and school accommodation information is contained in Appendix I-6. As part of the review of these applications, matters with respect to noise from the adjacent commercial development, acoustic fencing along Tomken Road, servicing and grading, and site remediation will need to be addressed prior to the Supplementary Report proceeding to Planning and Development Committee.

OTHER INFORMATION

Development Requirements

In conjunction with the proposed development, there are certain other engineering matters which will require the applicant to enter into the appropriate agreements with the City, the details of which will be dealt with during the processing of the plan of subdivision.

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 all 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 Applewood 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 - School Accommodation
- Appendix I-7 - General Context Map

Edward R. Sajecki
Commissioner of Planning and Building

Weldan Properties Tomken Inc.















Files: OZ 05/007 W3 and T-M05005 W3

Site History




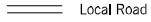
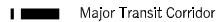
- The applicant advises that the subject lands have been utilized for a landscape and garden centre business, including the operation of greenhouses, limited farming, and topsoil services, along with an associated residence, for approximately fifty years.
- December 15, 1988 - The Committee of Adjustment approved a minor variance under file "A"-564/87 to permit the replacement of the existing greenhouses and retail and display area with a new garden facility, and a reduction in the required parking standard. A site plan application under file SP 89/200 W3 was approved on May 27, 1991 which addressed issues respecting the location of the new greenhouses and retail area, soil storage, parking, and matters respecting grading and drainage. The business remains in operation pending consideration of the subject rezoning and draft plan of subdivision applications.
- May 5, 2003 - The Region of Peel approved the Mississauga Plan Policies for the Applewood District, designating the subject lands as "Residential - Low Density II".

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

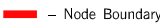
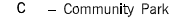
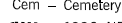
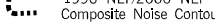
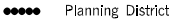
LAND USE DESIGNATIONS

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

TRANSPORTATION LEGEND

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

LAND USE LEGEND

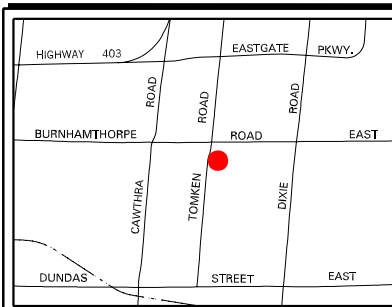
-  - Node Boundary
-  - Community Park
-  - Cemetery
-  - 1996 NEP/2000 NEF Composite Noise Contours
-  Planning District

Note:
The 1996 Noise Exposure Projection (NEP/2000 Noise Exposure Forecast (NEF) Composite Noise Contours are shown for information purposes only and are not part of the District Land Use Map. These contours will change from time to time as new information becomes available.
For accurate reference the composite NEP/NEF map produced by Transport Canada at a scale of 1:50 000 should be consulted.

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



SUBJECT: WELDAN PROPERTIES TOMKEN INC.



FILE NO:
OZ 05007 W3

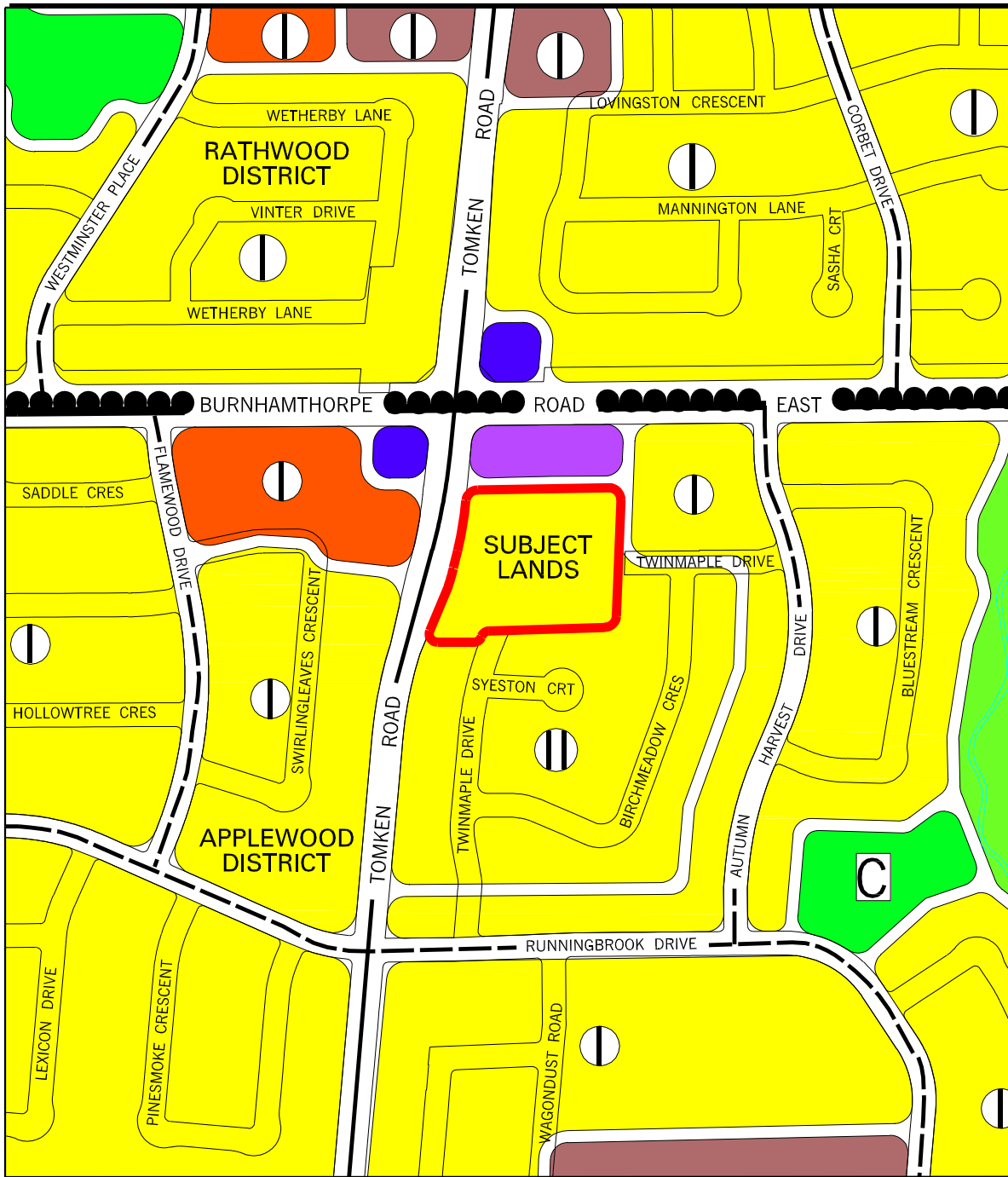
DWG. NO:
05007L.dgn

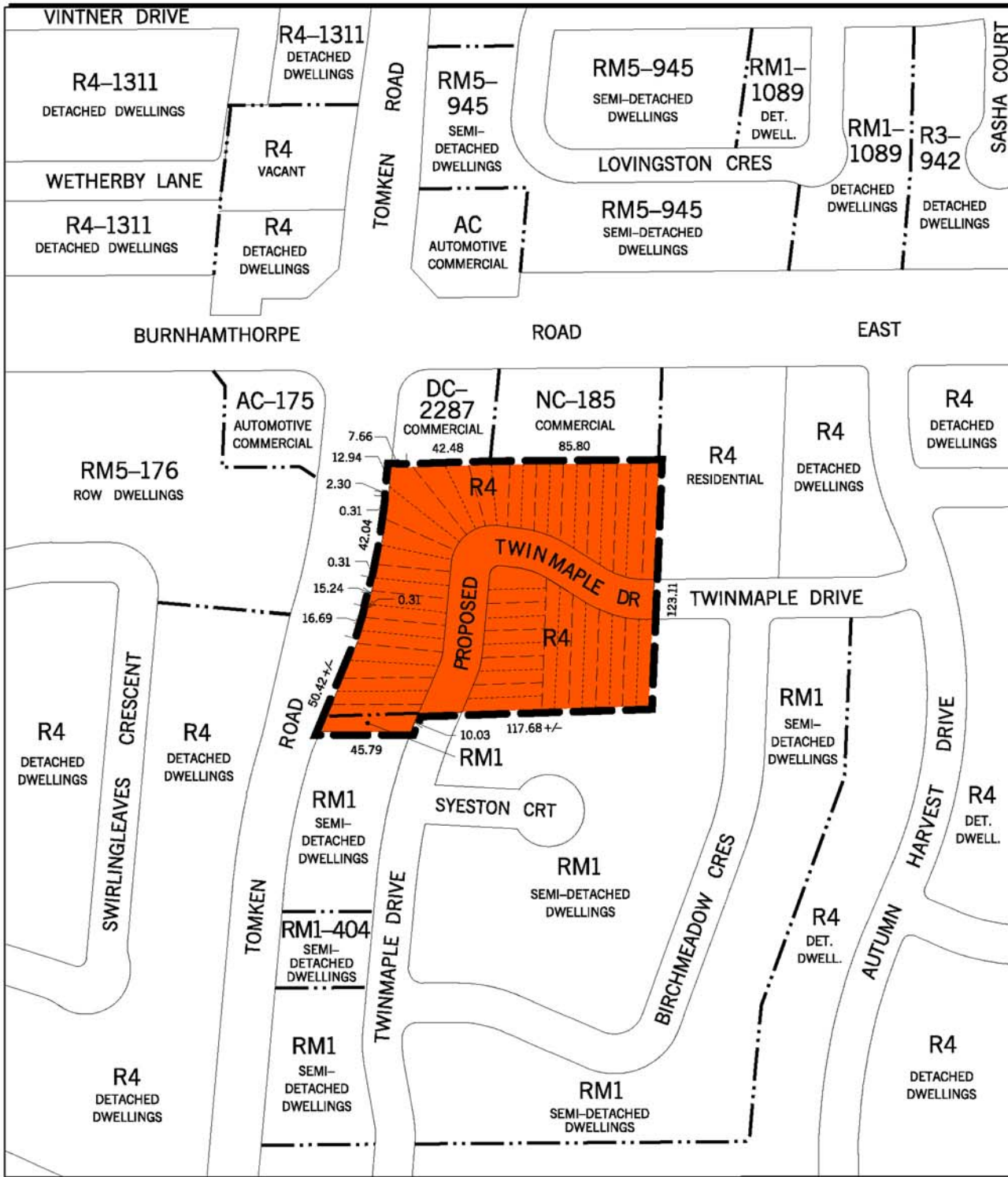
SCALE:
1:5000

PDC DATE:
2005 09 06

DRAWN BY:
N. PALLOTTA

APPENDIX I-2





LEGEND:

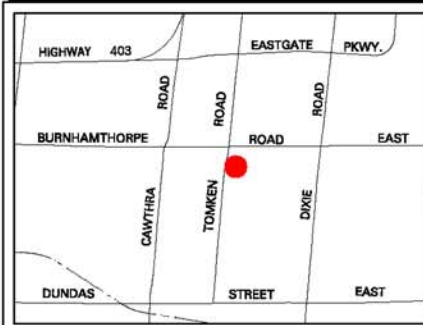


PROPOSED REZONING FROM "R4" (DETACHED RESIDENTIAL) AND "RM1" (SEMI-DETACHED RESIDENTIAL) TO "RGM2-SPECIAL SECTION" (RESIDENTIAL SEMI-DETACHED GARAGE CONTROL ZONE), IN CONJUNCTION WITH A DRAFT PLAN OF SUBDIVISION, to permit 48 semi-detached dwellings.

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



SUBJECT: WELDAN PROPERTIES TOMKEN INC.



FILE NO:
OZ 05007 W3

DWG. NO:
05007R.dgn

SCALE:
1:3000

PDC DATE:
2005 09 06

DRAWN BY:
N. PALLOTTA

APPENDIX I-3



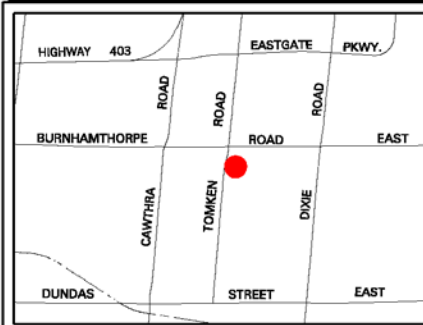
LEGEND:

 **SUBJECT LANDS**

DATE OF AERIAL PHOTO 2004 03



SUBJECT: WELDAN PROPERTIES TOMKEN INC.



FILE NO:
OZ 05007 W3

DWG. NO:
05007A.dgn

SCALE:
1:3000

DATE:
2005 09 06

DRAWN BY:
N. PALLOTTA

APPENDIX I-4

Weldan Properties Tomken Inc.

Files: OZ 05/007 W3 and T-M05005 W3

Agency Comments

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

Agency / Comment Date	Comment
Region of Peel (May 25, 2005)	<p>The subject applications do not raise any concerns from a Regional land use and transportation planning perspective. Municipal sanitary services consist of a 250 mm (9.8 in.) sewer on Twinmaple Drive north of Birchmeadow Crescent and a 250 mm (9.8 in.) sewer on Twinmaple Drive west of Syeston Court. Municipal water facilities consist of a 200 mm (7.8 in) main on Twinmaple Drive north of Birchmeadow Crescent and a 300 mm (12 in.) main on Twinmaple Drive west of Syeston Court. External easements and construction may be required to the satisfaction of the Region. The standard list of conditions of draft plan approval will apply as provided in the comments.</p>
Dufferin-Peel Catholic District School Board and the Peel District School Board (May 16, 2005 and June 15, 2005)	<p>The Peel District School Board and the Dufferin-Peel Catholic District School Board responded that they are satisfied with the current provision of educational facilities for the catchment area and, as such, the school accommodation condition as required by City of Mississauga Council Resolution 152-98 pertaining to satisfactory arrangements regarding the adequate provision and distribution of educational facilities need not be applied for these development applications.</p> <p>In addition, if approved, the Peel District School Board and the Dufferin-Peel Catholic District School Board have requested warning clauses with respect to temporary school accommodation and transportation arrangements be included within the Development and Servicing Agreements.</p>
City Community Services Department – Planning and Administration Division (July 28, 2005)	<p>Prior to the issuance of building permits for each lot or block, cash-in-lieu for park or other public recreational purposes is required pursuant to the <i>Planning Act</i> and in accordance with City Policies and By-laws.</p> <p>Due to the proximity of the subject property to a nearby watercourse (ie., Little Etobicoke Creek) and to an adjacent</p>

Weldan Properties Tomken Inc.

Files: OZ 05/007 W3 and T-M05005 W3

Agency / Comment Date	Comment
	<p>19th century structure (c. 1828), located at 1050 Burnhamthorpe Road East, an archaeological assessment will be required prior to the Supplementary Report proceeding to the Planning and Development Committee. No grading or other soil disturbances shall take place on the subject property prior to the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements.</p>
<p>City Community Services Department – Fire and Emergency Services Division (July 14, 2005)</p>	<p>Fire has reviewed the applications from an emergency response perspective and has no concerns. Emergency response time to the site and water supply available is acceptable.</p>
<p>City Transportation and Works Department (June 27, 2005)</p>	<p>Prior to the Supplementary Report proceeding to the Planning and Development Committee, the applicant is to revise the draft plan to include a standard 3.0 m (9.8 ft.) pedestrian walkway to Tomken Road and a 1.5 m (4.9 ft.) buffer block along the Tomken Road frontage of the plan to accommodate the required 0.4 m (1.3 ft.) berm and 1.8. m (5.9 ft.) acoustical fence. In addition, a conceptual proposal for the extension Twinmaple Drive including the on-site and on-street parking arrangement; and storm drainage servicing proposal are to be submitted for review.</p> <p>In addition, the applicant’s Noise Control Feasibility Study, identified stationary noise sources (ie exhaust fans and HVAC (Heating, Ventilation and Air Conditioning) units) from the commercial plaza to the north. The report indicates that the unattenuated sound levels are predicted to exceed the Ministry of Environment criteria for stationary noise sources at the residential receptors; and therefore recommends the replacement of the existing exhaust fans with quieter units and/or alternatively, the exhaust units are to be shielded by the installation of acoustical screens. The applicant is to confirm which method of attenuation will be utilized and provide this Department written confirmation from the commercial plaza owners agreeing to the retrofit noise control measures as per the recommendations of the Noise Control Feasibility Study.</p>

Weldan Properties Tomken Inc.**Files: OZ 05/007 W3 and T-M05005 W3**

Agency / Comment Date	Comment
	Further detailed comments/conditions will be provided prior to the Supplementary Report proceeding to the Planning and Development Committee meeting pending the review of the foregoing.

Weldan Properties Tomken Inc.

Files: OZ 05/007 W3 and T-M05005 W3

<p>Other City Departments and External Agencies</p>	<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>Bell Canada Canada Post City Corporate Services Department - Realty Services Enbridge Gas Distribution Inc. Enersource Hydro Mississauga</p>
	<p>The following external agencies were circulated the applications but provided no comments:</p> <p>Conseil Scolaire de District Catholique Centre-Sud Conseil Scolaire de District Centre-Sud-Ouest Hydro One Networks Inc. Rogers Cable Trans-Northern Pipelines Inc.</p>

Weldan Properties Tomken Inc.

Files: OZ 05/007 W3 and T-M05005 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"> 9 Kindergarten to Grade 5 5 Grade 6 to Grade 8 9 Grade 9 to Grade 12 • School Accommodation: <ul style="list-style-type: none"> Silverthorn Public School <ul style="list-style-type: none"> Enrolment: 283 Capacity: 380 Portables: 0 Tomken Road Middle School <ul style="list-style-type: none"> Enrolment: 812 Capacity: 976 Portables: 0 Applewood Heights Secondary School <ul style="list-style-type: none"> Enrolment: 1,252 Capacity: 1,284 Portables: 0 	<ul style="list-style-type: none"> • Student Yield: <ul style="list-style-type: none"> 13 Junior Kindergarten to Grade 8 5 Grade 9 to Grade 12 • School Accommodation: <ul style="list-style-type: none"> Blessed Teresa of Calcutta School <ul style="list-style-type: none"> Enrolment: 314 Capacity: 397 Portables: 0 John Cabot Catholic Secondary School <ul style="list-style-type: none"> Enrolment: 963 Capacity: 933 Portables: 0



Weldan Properties Tomken Inc.

File: OZ 05/007 W3 and T-M05005 W3

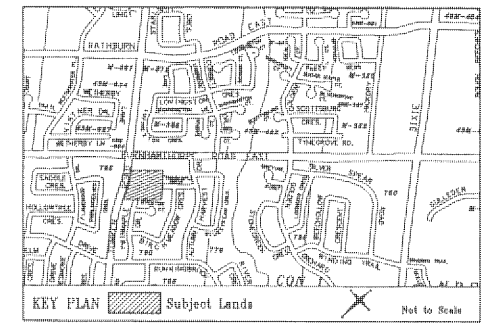
Recommendation PDC-0091-2005

PDC-0091-2005

1. That the Report dated August 16, 2005, from the Commissioner of Planning and Building regarding the application to change the Zoning from 'R4' (Detached Residential) and 'RM1' (Semi-detached Residential) to 'RGM2-Special Section' (Residential Semi-detached Garage Control Zone), in conjunction with a draft plan of subdivision, under files OZ 05/007 W3 and T-M05005 W3, Weldan Properties Tomken Inc., 3669 Tomken Road, Part of Lot 8, Concession 1, N.D.S., and Block A, Plan 800, be received for information.
2. That the petition submitted by Mr. James Wallace in opposition to the rezoning application, and requesting that the existing zoning remain as is, be received and referred to the Planning Department.
3. That the e-mail dated August 31, 2005 from Ivan St. Clair Sequeira and letter dated September 1, 2005 from Kurt and Maria Stroebel expressing objections to the above development application, be received.

JANUARY 25, 2006

DRAWING FILE: R:\DRM\DWG\1001-0001.DWG 01 JANUARY 2006 10:40 AM



PARKING PLAN
WELDAN PROPERTY

PART OF LOT 8
CONCESSION 1, NORTH OF DUNDAS STREET
(FORMERLY IN THE TOWNSHIP OF TORONTO)
CITY OF MISSISSAUGA
REGIONAL MUNICIPALITY OF PEEL

UNIT YIELD

- 46 - 13.8m (45') Semi Detached Units
- 1 (Lot 15) - 10.05m (33') Single Detached Dwelling Unit
- 47 Total Units

ON-STREET PARKING NOTES

1. 12 5m Street Parking Spaces Illustrated on Plan Based upon 0.25 Spaces Required per Unit (Only Minimum Number of Spaces Illustrated)
2. Minimum 10.5m Garage Setback from Sidewalk Edge (Swelling Side) to Garage Face
3. Driveways Illustrated at 2m Wide for Each Dwelling Unit
4. Units on Lots 6, 7 & 9 will be 2 stores in height

NOTES

1. Lot frontage is measured at 7.5m setback.
2. Block 24 combined with the lands to the south (subject to rezoning) will create one semi-detached lot (2 units).

WELDAN PROPERTIES INC.
P A R K I N G P L A N



SCALE 1:500



Weldan Properties Tomken Inc.

File: OZ 05/007 W3 and T-M05005 W3

Historical Official Plan Designations

The following is a chronology of the Official Plan designations that have applied to the above noted lands:

- December 17, 1963: OPA No. 160 was approved by the Minister of Municipal Affairs which designated the northern portion of the subject lands as “Residential Multiple” which permitted townhouses and apartment buildings, and the southern portion of the lands as “Residential Single Detached and Semi-Detached” which permitted single and semi-detached dwellings. A density range for each category was not specified.
- March 22, 1988: OPA No. 49 (North Dixie Secondary Plan, later renamed Applewood Secondary Plan) was approved by the Ministry of Municipal Affairs which designated the subject lands as “Residential - Low Density II” which permitted detached, semi-detached and other types of freehold dwellings, including street townhouses. The net density range permitted was approximately 17-30 units per hectare (6.8-12 units per acre).
- August 20, 1998: OPA No. 5 (Applewood District Policies and District Land Use Map of City Plan) was approved by the Region of Peel which designated the subject lands as “Residential - Low Density II” which permitted detached, semi-detached and duplex dwellings. The net density range permitted was 18-50 units per hectare (7.3-20.2 units per acre).
- May 5, 2003: Mississauga Plan (Applewood District Policies and District Land Use Map) was approved by the Region of Peel which designates the subject lands as “Residential - Low Density II” which permits detached, semi-detached and duplex dwellings. The net density range permitted is 18-50 units per hectare (7.3-20.2 units per acre). This is the current Official Plan designation that applies to the subject lands.



**SCHEDULE A
CONDITIONS OF APPROVAL**

FILE: T-M05005 W3

SUBJECT: **Draft Plan of Subdivision
3669 Tomken Road
East side of Tomken Road, south of
Burnhamthorpe Road East
City of Mississauga
Weldan Properties Tomken Inc.**

Approval of the draft plan of subdivision granted under Section 51 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, will be valid until approval is either withdrawn or the plan is registered. Approval may be withdrawn by the Commissioner, Planning and Building Department if approval of the final plan has not been given three (3) years after the date of approval of the draft plan.

NOTE: City is “The Corporation of the City of Mississauga”
Region is “The Regional Municipality of Peel”

NOTE: The City has not required either the dedication of land for park or other public recreational purposes, or a payment of money in lieu of such conveyance as a condition of subdivision draft approval authorized by Section 51.1 of the *Planning Act*, R.S.O. 1990, c.P.13 as amended. The City will require payment of cash-in-lieu for park or other public recreational purposes as a condition of development for each lot and block, prior to the issuance of building permits pursuant to Section 42(6) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, and in accordance with the City's policies and by-laws.

- 1.0 Approval of the draft plan applies to the plan dated March 14, 2006.
- 2.0 That the owner agree, in writing, to satisfy all the requirements, financial and otherwise of the City and the Region.
- 3.0 That the applicant/owner shall enter into Servicing, Development and any other necessary agreements, satisfactory to the City, Region or any other appropriate authority, prior to ANY development within the plan. These agreements may deal with matters including, but not limited to, the following: engineering matters such as municipal services, road widenings, construction and reconstruction, grading, fencing, noise mitigation, and warning clauses; financial issues, such as cash contributions, levies (development charges), land dedications or reserves, securities, or letters of credit; planning matters

such as residential reserve blocks, buffer blocks, site development plan and landscape plan approvals and conservation. THE DETAILS OF THESE REQUIREMENTS ARE CONTAINED IN COMMENTS IN RESPONSE TO THE CIRCULATION OF THE PLAN FROM AUTHORITIES, AGENCIES, AND DEPARTMENTS OF THE CITY AND REGION WHICH HAVE BEEN FORWARDED TO THE APPLICANT OR HIS CONSULTANTS, AND WHICH COMMENTS FORM PART OF THESE CONDITIONS.

- 4.0 All processing and administrative fees shall be paid prior to the registration of the plan. Such fees will be charged at prevailing rates of approved City and Regional Policies and By-laws on the day of payment.
- 5.0 The applicant/owner shall agree to convey/dedicate, gratuitously, any required road or highway widenings, 0.3 m (1 ft.) reserves, walkways, sight triangles, buffer blocks and utility or drainage easements to the satisfaction of the City, Region or other authority.
- 6.0 The applicant/owner shall provide all outstanding reports, plans or studies required by agency and departmental comments.
- 7.0 That a Zoning By-Law for the development of these lands shall have been passed under Section 34 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, and be in full force and effect prior to registration of the plan.
- 8.0 That in accordance with CPD Resolution 0121-91, that a minimum of three car spaces per dwelling, including those in a garage be required and a minimum of 0.25 visitor parking space per dwelling be required on the street for the subject development.
- 9.0 The proposed streets shall be named to the satisfaction of the City and the Region. In this regard, a list of street names shall be submitted to the City Transportation and Works Department as soon as possible after draft plan approval has been received and prior to any servicing submissions. The owner is advised to refer to the Region of Peel Street Names Index to avoid proposing street names which conflict with the approved or existing street names on the basis of duplication, spelling, pronunciation, and similar sounding.
- 10.0 Prior to final approval or preservicing, the developer will be required to monitor wells, subject to the homeowner's permission, within the zone of influence, and to submit results to the satisfaction of the Region.
- 11.0 The applicant/owner shall make arrangements acceptable to the City with regard to any Park issues including Park or greenbelt development, buffer planting, or hoarding.
- 12.0 Prior to preservicing and/or execution of the Servicing Agreement, the developer shall name to the satisfaction of the City Transportation and Works Department the telecommunications provider.

- 13.0 Prior to execution of the Servicing Agreement, the developer must submit in writing, evidence to the Commissioner of the City Transportation and Works Department, that satisfactory arrangements have been made with the telecommunications provider, Cable TV and Hydro for the installation of their plant in a common trench, within the prescribed location on the road allowance.
- 14.0 That prior to signing of the final plan, the Commissioner of Planning and Building is to be advised that all of the above noted conditions have been carried out to the satisfaction of the appropriate agencies and the City.

THE REQUIREMENTS OF THE CITY WILL BE EFFECTIVE FOR THIRTY-SIX (36) MONTHS FROM THE DATE THE CONDITIONS ARE APPROVED BY THE COMMISSIONER, PLANNING AND BUILDING DEPARTMENT. AFTER THIS DATE REVISED CONDITIONS WILL BE REQUIRED. NOTWITHSTANDING THE SERVICING REQUIREMENTS MENTIONED IN SCHEDULE A, CONDITIONS OF APPROVAL, THE STANDARDS IN EFFECT AT THE TIME OF REGISTRATION OF THE PLAN WILL APPLY.

28'-2.375"

18'-0.625"

10'-1.5"

0'-00"

-8'-9.125"

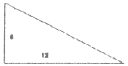
28'-2.375"

18'-0.625"

10'-1.5"

0'-00"

-8'-9.125"



FRONT ELEVATION - C

FRONT ELEVATION - D



FRONT ELEVATION - J



FRONT ELEVATION - K