Clerk's Files



Originator's Files OZ 05/042 W3 T-M05010 W3

DATE:	August 15, 2006
TO:	Chair and Members of Planning and Development Committee Meeting Date: September 5, 2006
FROM:	Edward R. Sajecki Commissioner of Planning and Building
SUBJECT:	Information Report Official Plan Amendment, Rezoning and Draft Plan of Subdivision Applications To permit townhouse and detached dwellings under common element condominium tenure 1820, 1826, 1836 and 1850 Burnhamthorpe Road East South side of Burnhamthorpe Road East, west of Ponytrail Drive Owner: Dunpar Developments Inc. Applicant: Dunpar Developments Inc. Bill 20
	Public Meeting Ward 3
RECOMMENDATION:	That the Report dated August 15, 2006, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Residential - Low Density I" to "Residential - Medium Density II - Special Site" and to change the Zoning from "R3" (Detached Residential) to "RM5-Special Section" (Multiple Residential), in addition to a Draft Plan of Subdivision, to permit 100 townhouse dwellings and 11 detached dwellings under common element condominium tenure, under Files OZ 05/042 W3 and T-M05010 W3, Dunpar Developments Inc., 1820, 1826, 1836 and 1850 Burnhamthorpe Road East, be received for information.

<b>BACKGROUND:</b>	The 100 townhouse dwellings have been proposed with minimum frontages of 4.2 m (13.8 ft.), and the 11 detached dwellings have minimum frontages of 10.0 m (32.8 ft.). The development has no access to Burnhamthorpe Road East with all traffic utilizing the local road network of Pagehurst Avenue and Silverplains Drive. All townhouse dwellings incorporate a rear yard laneway with the outdoor amenity area contained within a raised deck above the private garage.			
	to permit 122 town condominium tenu two revised scenar These plans incorp transition to existin included both com public road alterna the Official Plan A Ontario Municipal part to make a dec time frames contai letter that the appli reflect the split tow common element of	The applications were originally submitted on November 28, 2005, to permit 122 townhouse dwellings, under common element condominium tenure. On June 14, 2006, the applicant provided two revised scenarios to address staff and community comments. These plans incorporated the detached dwellings to provide a transition to existing low density development to the south, and included both common element condominium and traditional public road alternatives. On July 4, 2006, the applicant appealed the Official Plan Amendment and Rezoning applications to the Ontario Municipal Board (OMB) for failure on the municipality's part to make a decision on the applications within the specified time frames contained in the <i>Planning Act</i> . It is within the appeal letter that the applicant formally amended their applications to reflect the split townhouse and detached dwelling proposal, under common element condominium tenure with no public road. The Draft Plan of Subdivision application was not appealed to the		
	1 1	s report is to provide preliminary information on oplications and to seek comments from the		
COMMENTS:	Details of the proposal that has been referred to the OMB are as follows: Development Proposal			
	Number of	Townhouse Dwellings: 100		
	Units	Detached Dwellings: 11		

Building	All Dwellings: 13.6 ft. (44.6 ft.), being		
Height:	three storeys		
Lot Coverage:	Including Rear Decks: 41.2%		
Floor Space			
Index:	0.935 times the lot area		
Gross and Net	54 units/ha		
Density	22 units/acre		
Landscaped			
Area:	33.94%		
Anticipated	Townhouses: 297 people		
Population*:	Detached Dwellings: 37 people		
- F ·· ·· · ·	Total: 334 people		
	*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	Townhouses: 200 spaces		
Required:	Detached Dwellings: 22 spaces		
	Visitor: 28 spaces		
	Total: 250 spaces		
Parking	Townhouses: 200 spaces		
Provided:	Detached Dwellings: 44 spaces		
	Visitor: 28 spaces		
	Total: 272 spaces		
Supporting	- Planning Justification Report dated		
Documents:	November 2005		
	- Phase I Environmental Site Assessment		
	dated November 30, 2005		
	- Noise Control Feasibility Study dated		
	November 8, 2005, updated May 23, 2006		
	- Engineering Report dated		
	November 1, 2005		
	- Traffic Impact Assessment dated		
	November 15, 2005, updated May 29, 2006		

Site Characteristics			
Frontage:	Burnhamthorpe Road East: 117.0 m		
	(383.9 ft.)		
	Pagehurst Avenue: 20.1 m (66.0 ft.)		
	Silverplains Drive: 20.1 m (66.0 ft.)		
Depth:	164 m (538 ft.)		
Gross/Net Lot	2.06 ha (5.1 ac.)		
Area:			
Existing Use:	All lands are presently vacant		

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

### **Neighbourhood Context**

Four separate parcels, located on the south side of Burnhamthorpe Road East, west of Ponytrail Drive were assembled for redevelopment. These parcels are located on the edge of a stable low density neighbourhood developed in the mid to late 1960's. Generally, the built form is detached dwellings with a net density of approximately 14.2 units per hectare (5.7 units per acre). Two local roads currently terminate abutting the lands, Pagehurst Avenue along the eastern boundary and Silverplains Drive along the southern boundary. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

North: Detached dwellings with rear yards and fencing along the frontage of Burnhamthorpe Road East.
East: Detached dwellings having minimum lot frontages of 15 m (49.2 ft.) fronting Pagehurst Avenue, and Saint Martha and Mary Catholic Church, and parking area.
South: Detached dwellings having minimum lot frontages of 15 m (49.2 ft.) fronting Silverplains Drive and Stonepath Crescent.
West: Vacant parcel of land addressed as 1810 Burnhamthorpe Road East with a Hydro One power transmission corridor beyond.

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

"Residential - Low Density I" which permits detached, semidetached and duplex dwellings to a maximum density of 17 units per hectare (6.8 units per acre). The applications are not in conformity with the land use designation as the current designation does not permit townhouse dwellings. In addition, the proposed density is more then three times the permitted maximum. The maximum number of dwellings that could be constructed based on a gross density calculation is approximately 35 detached dwellings. There are other policies in the Official Plan which are also applicable in the review of these applications including:

**Residential Policies:** 

Section 3.2.3.2 of Mississauga Plan indicates that 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. Section 3.2.3.8 of Mississauga Plan indicates that residential intensification, in the form of more compact development and higher densities in appropriate development areas, is encouraged subject to certain criteria. This criteria speaks to meeting the following: adequate engineering and community services; compatibility with surrounding land uses; and, development proposals addressing the scale and character of the existing residential area.

Urban Design Policies:

Section 3.2.3.2 of Mississauga Plan indicates that design issues related to built form, scale, massing, orientation, parking, overshadowing, and the quality and quantity of open space will be priorities in assessing the merits of residential development. Section 3.15 of Mississauga Plan provides for policies which speak to appropriate built form and scale, streetscape and context, and compatibility with the surrounding built form. Criteria for Site Specific Official Plan Amendments:

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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 Official Plan 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 proposed land use 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 - Medium Density II**" to permit the development of the lands for townhouse dwellings and detached dwellings, under common element condominium tenure, at a Floor Space Index of 0.935 times the lot area.

### **Existing Zoning**

**"R3" (Detached Residential)** which permits detached dwellings having a minimum lot frontage of 15 m (49.2 ft.).

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

"RM5-Special Section" (Multiple Residential) to permit townhouse dwellings and detached dwellings, under common element condominium tenure.

On March 26, 2003, Council endorsed guidelines for common element condominium developments. These guidelines suggest that townhouse dwellings have a minimum frontage of 5.0 m (16.4 ft.) and that detached dwellings have a minimum frontage of 15.0 m (49.2 ft.). A record of all proposed zoning standards and their conformity with the guidelines are included in Appendix I-8.

### Draft Mississauga Zoning By-law

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A new draft Zoning By-law is being finalized. The proposed zoning for this property is "R3" (Detached Dwellings - Typical Lots) which permits detached dwellings having a minimum lot frontage of 15 m (49.2 ft.).

The timing of the site specific Zoning By-law to permit the proposed development may be affected by the passage of the new Mississauga Zoning By-law and potential appeals. A recommendation will be included in the supplementary report to address the new Mississauga Zoning By-law.

### **Proposed Draft Plan of Subdivision**

The Draft Plan of Subdivision as filed on November 28, 2005, divides the lands into separate blocks for townhouses, roads and parking areas. This application was not appealed to the OMB, nor has it been amended to reflect the inclusion of the detached dwellings and associated changes to the road pattern and townhouse block location, as filed with the OMB appeal letter of July 4, 2006.

#### **COMMUNITY ISSUES**

A community meeting was held by Ward 3 Councillor M. Prentice on April 10, 2006, and a Focus Group meeting on August 8, 2006. The following is a summary of issues raised by the community:

#### Comment

Concern was expressed that the development proposal is not in keeping with the scale and character of the current built form of the neighbourhood, and would result in a loss of privacy for abutting homes and an overall devaluation of surrounding home prices. The proposal is also not in keeping with City guidelines for common element condominiums. It was suggested that it would be most appropriate to develop the lands in accordance with the existing Official Plan and zoning designations that apply to the lands.

### Comment

The proposed development will have an impact on traffic in the community, resulting in an increase in noise and pollution, and aggravation of a current on-street parking problem in the surrounding neighbourhood.

#### Comment

How will any remnant parcels be developed if development of the subject lands were to proceed.

### Comment

There is a concern for the lack of greenspace/landscaped area in the proposal.

#### Response

Comments regarding compatibility and design of the proposed development will be considered by the Planning and Building Department in a future Supplementary Report. The applicant has provided both a phasing plan and a traffic study that are currently under review. A complete evaluation of both these documents will also be provided in a future Supplementary Report.

#### **DEVELOPMENT ISSUES**

Agency comments are summarized in Appendix I-5 and school accommodation information is contained in Appendix I-6. Based on the comments received and the applicable Mississauga Plan policies the following matters will have to be addressed:

- Conformity with Council endorsed common element condominium guidelines;
- Compatibility with stable neighbourhoods to the south;
- Completion of the local road network;

- Pedestrian connections through the lands to school and park uses to the west;
- Consideration for the development of the remnant parcel abutting to the west;
- Provision of on-site servicing including utilities and waste management.

### **OTHER INFORMATION**

#### **Proposed Intensification Guidelines**

On August 2, 2006, a Public Meeting was held to consider Proposed Interim Residential Intensification Policies. The staff report which contained the proposed policies noted that the City will be faced with intensification pressures as the last of the green fields in Mississauga are developed. The policies will direct intensification to the Urban Growth Centre which is located along Hurontario Street, south of Matheson Boulevard to the Queen Elizabeth Way and includes all of City Centre. Vacant or utilized lands outside the Urban Growth Centre can accommodate development in accordance with existing policies of Mississauga Plan. Applications to amend Mississauga Plan for increased residential density must be within the intent of the Plan, be based on sound planning principles and enhance the surrounding community.

### **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 City department comments have been received.After the public meeting has been held, the Planning and Building

Department will be in a position to make a recommendation regarding these applications.

ATTACHMENTS:Appendix I-1 - Site HistoryAppendix I-2 - Excerpt of Applewood District Land Use Map<br/>Appendix I-3 - Excerpt of Existing Land Use Map<br/>Appendix I-4 - Aerial Photograph<br/>Appendix I-5 - Agency Comments<br/>Appendix I-6 - School Accommodation<br/>Appendix I-7 - Concept Plan<br/>Appendix I-8 - Proposed Zoning Standards<br/>Appendix I-9 - General Context Map

Edward R. Sajecki Commissioner of Planning and Building

Prepared By: Rob Hughes, Development Planner

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### File: OZ 05/042 W3 and T-M05010 W3

### **Site History**

- June 11, 1987 The Region of Peel draft approved Plan of Subdivision 21T-M86014 which included the subject lands in addition to four neighbouring parcels to the immediate east. This draft plan proposed a total of 27 detached dwellings and included the extension of both Pagehurst Avenue and Silverplains Drive to complete the local road network. The application was closed due to inactivity on October 1, 2004.
- May 5, 2003 The Region of Peel approved the Mississauga Plan Policies for the Applewood District which designated the subject lands as "Residential Low Density I" which permits detached dwellings.
- February 14, 2005 A Public Hearing was conducted before the Planning and Development Committee for a Draft Plan of Subdivision under file T-M04002 W3 for a portion of the subject lands (1850 Burnhamthorpe Road East) to permit seven detached lots on an extension of Pagehurst Avenue. The application was closed at the request of the applicant upon the submission of the subject applications.







## File: OZ 05/042 W3 and T-M05010 W3

## **Agency Comments**

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

Region of Peel (May 23, 2006)Regional staff have no objection to the ap development. Municipal sanitary sewer f 250 mm diameter sanitary sewer located o and Silverplains Drive. Municipal water 200 mm diameter watermain located on P Silver diameter watermain located on P	proval of the
Silverplains Drive, and a 150 mm diamete Burnhamthorpe Road. Site servicing will of 200 mm and 150 mm diameter waterm Pagehurst Avenue, Silverplains Drive and Road. The subject lands are not located v landfill. A cul-de-sac or "T"-turnaround of each laneway and at the dead-end road southwest corners of the site to facilitate v trucks. A complete list of Regional condi approval are listed within their comments Dufferin-Peel Catholic District School Board (March 24, 2006) and the Peel District School Board (February 9, 2006) The Dufferin-Peel Catholic District School District School Board (February 9, 2006) The dufferin-Peel Catholic District School accommodat required by City of Mississauga Council 1 pertaining to satisfactory arrangements re provision and distribution of educational applied for these development applicatior In addition, if approved, the Peel District Dufferin-Peel Catholic District School Bo clearance of certain conditions of draft pl respecting bussing and accommodation o following shall be placed in any agreement sale:	Acilities consist of a on Pagehurst Avenue Cacilities consist of a agehurst Avenue and or watermain on also require looping ains between Burnhamthorpe rithin the vicinity of a s required at the end in the southeast and vaste management tions of draft plan Al Board and the Peel are satisfied with the for the catchment ion condition as Resolution 152-98 garding the adequate Cacilities need not be s. School Board and the ard also require the an approval Students. The

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# Dunpar Developments Inc.

## File: OZ 05/042 W3 and T-M05010 W3

Agency / Comment Date	Comment
	"Prior to final approval, the City of Mississauga shall be advised by the School Boards that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the School Boards for this plan."
City Community Services Department – Planning, Development and Business Services Division (July 28, 2006)	This Department indicated that the park serving the proposed residential development is Forest Glen Park located at Fieldgate Drive, north of Ponytrail Drive, and is approximately 800 m (2,625 ft.) from the subject lands. The park contains one unlit softball diamond, one children's play structure, one spray pad, and park pathways. The City's park requirements have been met for this area.
	In view of the foregoing, if approved and prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the <i>Planning Act</i> (R.S.O. 1990, c.P. 13, as amended) and in accordance with City Policies and By-laws. Payment for street tree planting on Burnhamthorpe Road East and any other roads necessary to be dedicated as public rights-of-way will also be required.
City Community Services Department – Fire and Emergency Services Division (March 24, 2006)	This Department has reviewed the subject applications from an emergency response perspective and has no concerns. Emergency response time to the site and water supply available are acceptable.
City Transportation and Works Department (July 31, 2006)	This Department indicated that a supporting Traffic Impact Study has been submitted which is currently under review by staff. Comments will be provided prior to the preparation of the Supplementary Report. Notwithstanding the above, it was indicated to the Owner that the draft plan of subdivision is to be revised to illustrate a standard municipal road connecting Pagehurst Avenue to Silverplains Drive. This revision will eliminate the need for additional municipal servicing easement(s), improve the overall traffic circulation and provide superior waste collection and snow removal services to the neighbourhood.

## File: OZ 05/042 W3 and T-M05010 W3

Agency / Comment Date	Comment
	Based on the review of the submitted concept plan, this Department indicated that the applicant must elaborate as to how the future development of the lands to the west will be incorporated to what will be an established common element condominium development, recognizing that the remaining undeveloped parcel will not have access to Burnhamthorpe Road East. Vehicular access and servicing for these adjacent lands must also be accommodated through this development parcel.
	The applicant will also be required to submit a supporting site concept plan which illustrates the feasibility of the proposed common element condominium development, including the placement of the required minimum 3.0 m utility corridor, incorporation of the City's standard road cross-section for a Common Element Condominium and details regarding the proposed fencing, buffering, grading and common element features.
	In addition, prior to the preparation of a Supplementary Report, the applicant will be required to revise and resubmit an updated Functional Servicing Report and a Noise Addendum Study to address this Department's comments. Additional comments will be provided pending the receipt and review of these items.
Other City Departments and External Agencies	The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner: - Bell Canada - Canada Post - City Development Services - City Economic Development Office - Enbridge Gas Distribution Inc. - Enersource Hydro Mississauga
	- Hydro One Networks Inc.

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# Dunpar Developments Inc.

# File: OZ 05/042 W3 and T-M05010 W3

Agency / Comment Date	Comment		
	The following City Departments and external agencies were circulated the applications but provided no comments:		
	<ul> <li>City Realty Services</li> <li>Conseil Scolaire de District Catholique Centre-Sud</li> <li>Conseil Scolaire de District Centre-Sud-Ouest</li> </ul>		

# File: OZ 05/042 W3 and T-M05010 W3

## **School Accommodation**

The Peel District School Board		The Dufferin-Peel Catholic District School Board			
• Student Yield:		•	• Student Yield:		
	19 10 17	Kindergarten to Grade 5 Grade 6 to Grade 8 Grade 9 to Grade 12/OAC		27 8	Junior Kindergarten to Grade 8 Grade 9 to Grade 12/OAC
•	School Acc	commodation:	•	School Acc	commodation:
	Forest Gler	Public School		St. Alfred S	School
	Enrolment: Capacity: Portables:	545 573 3		Enrolment: Capacity: Portables:	527 474 0
	Glenhaven Senior Public School			Philip Pocock Secondary School	
	Enrolment: Capacity: Portables:	542 1		Enrolment: Capacity: Portables:	1,401 1,257 5
Glenforest Secondary School					
	Enrolment: Capacity: Portables:	1,273 1,023 0			
* Note: Capacity reflects the Ministry of Education rated capacity, not the Board rated capacity, resulting in the requirement of portables.					



# File: OZ 05/042 W3 and T-M05010 W3

## **Proposed Zoning Standards**

# **Common Element Condominium Dwelling Zone Regulations Townhouse Dwelling Development**

Category	Council Endorsed Guidelines	Proposed
Minimum Lot Area	115/190 m <sup>2</sup> (1,238 sq. ft./	84 m <sup>2</sup> (276 sq. ft.)
(Interior/Corner)	2,045 sq. ft.)	
Minimum Lot Frontage	5.0/8.3 m (16.4/27.2 ft.)	4.2/4.4 m (13.7/14.4 ft.)
(Interior/Corner)		
Minimum Dwelling Unit Width	5.0 m (16.4 ft.)	4.2 m (13.7 ft.)
Minimum Front Yard		
Dwelling:	4.5 m (14.8 ft.)	4.0 m (13.1 ft.)
Front garage face:	6.0 m (19.7 ft.)	No change (rear lane
		proposed)
Minimum Exterior Side Yard		
Dwelling:	4.5 m (14.8 ft.)	4.0 m (13.1 ft.)
Front garage:	6.0 m (19.7 ft.)	No change
Adjacent to a sidewalk:	3.3 m (10.8 ft.)	1.0 m (3.3 ft.)
Adjacent to parking area:	3.3 m (10.8 ft.)	No change
Adjacent to amenity area:	1.5 m (4.9 ft.)	0.5 m (1.6 ft.)
Minimum Interior Side Yard	1.5 m (4.9 ft.)	No change
Minimum Rear Yard	7.5 m (24.6 ft.)	0.0 m (rear yard deck and
		laneway)
Maximum Height	10.7 m (35.1 ft.)	13.6 m (44.6 ft.)
Minimum Gross Floor Area	$60 \text{ m}^2 (645.8 \text{ sq. ft.})$	No change
Parking and Driveways		
Minimum spaces per dwelling:	2	No change
Minimum visitor spaces:	0.25/dwelling	No change
Maximum driveway width:	3.8 m (12.5 ft.)	No change
Private Garage	Required	No change
Maximum Encroachments		
Porches:	1.5 m (4.9 ft.)	No change
Front yard projections:	0.6 m (2.0 ft.)	No change
Side yard projections:	0.3 m (1.0 ft.)	No change
Rear yard decks:	2.5 m (8.2 ft.)	No change
Minimum Width of Private Road		
Road only:	7.0 m (22.9 ft.)	No change
Road with sidewalk:	8.2 m (26.9 ft.)	No change
Road with parallel parking:	6.0 m (19.6 ft.)	No change
Road with sidewalk and parking:	7.2 m (23.6 ft.)	No change

# File: OZ 05/042 W3 and T-M05010 W3

### **Common Element Condominium Dwelling Zone Regulations Detached Dwelling Development**

Category	Council Endorsed Guidelines	Proposed
Minimum Lot Area	550/720 m <sup>2</sup> (5,920 sq. ft./	290 m <sup>2</sup> (3,121 sq. ft.)
(Interior/Corner)	7,750 sq. ft.)	
Minimum Lot Frontage	15.0/19.5 m (49.2/64.0 ft.)	10.0/15.0 m (32.8/49.2 ft.)
(Interior/Corner)		
Maximum Lot Coverage	35%	41%
Minimum Front Yard		
Dwelling:	7.5 m (24.6 ft.)	4.6 m (15.0 ft.)
Front garage face:	7.5 m (24.6 ft.)	6.0 m (14.8 ft.)
Minimum Exterior Side Yard		
Dwelling:	6.0 m (14.8 ft.)	No change
Front garage:	6.0 m (19.7 ft.)	No change
Minimum Interior Side Yard	1.2  m + 0.61  m	No change
	(3.9 ft. + 2.0 ft.)	
Minimum Rear Yard	7.5 m (24.6 ft.)	No change
Maximum Height	10.7 m (35.1 ft.)	No change
Minimum Gross Floor Area	$60 \text{ m}^2$ (645.8 sq. ft.)	No change
Parking and Driveways		
Minimum spaces per dwelling:	2	No change
Minimum visitor spaces:	0.25/dwelling	No change
Maximum driveway width:	6.5 m (21.3 ft.)	5.4 m (17.7 ft.)
Private Garage	Required	No change
Maximum Encroachments		
Porches:	1.5 m (4.9 ft.)	No change
Front yard projections:	0.6 m (2.0 ft.)	No change
Side yard projections:	0.3 m (1.0 ft.)	No change
Rear yard decks:	2.5 m (8.2 ft.)	No change
Minimum Width of Private Road		
Road only:	7.0 m (22.9 ft.)	No change
Road with sidewalk:	8.2 m (26.9 ft.)	No change
Road with parallel parking:	6.0 m (19.6 ft.)	No change
Road with sidewalk and parking:	7.2 m (23.6 ft.)	No change

