



Corporate Report

Clerk's Files

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

DATE: April 10, 2007

TO: Chair and Members of Planning and Development Committee
Meeting Date: April 30, 2007

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Official Plan Amendment, Rezoning and Draft Plan of
Subdivision Applications**
**To permit detached dwellings, and townhouse dwellings under
standard 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. (T. Giancos)
Bill 20

Supplementary Report **Ward 3**

RECOMMENDATION: That the Report dated April 10, 2007, from the Commissioner of Planning and Building recommending refusal of the Official Plan Amendment, Rezoning and Draft Plan of Subdivision applications under Files OZ 05/042 W3 and T-M05010 W3, Dunpar Developments Inc., 1820, 1826, 1836 and 1850 Burnhamthorpe Road East, south side of Burnhamthorpe Road East, west of Ponytrail Drive, be adopted in accordance with the following:

1. That the application to amend Mississauga Plan from "Residential - Low Density I" to "Residential - Low Density I" and "Residential - Medium Density I - Special Site" to permit detached dwellings and townhouse dwellings be refused;

2. That the application to change the Zoning from “R3” (Detached Residential) to “R4(12)-Special Section” (Detached Residential) and “RM5-Special Section” (Multiple Residential) to permit detached dwellings and townhouse dwellings be refused;
3. That the Draft Plan of Subdivision under file T-M05010 W3 be refused;
4. That City Council endorse the road configuration and development form as identified in Appendix S-7, Alternative Conceptual Design, attached to the staff report;
5. That City Council direct Legal Services and representatives from the appropriate City Departments to attend the Ontario Municipal Board hearing and any related prehearing conferences and to retain expert witnesses, if necessary, to oppose Official Plan Amendment, Rezoning and Draft Plan of Subdivision applications filed by Dunpar Developments Inc.;
6. That City Council provide the Planning and Building Department with the authority to instruct Legal Services staff on any modifications deemed necessary, where required, through the Ontario Municipal Board hearing process.

BACKGROUND:

A public meeting was held by the Planning and Development Committee on September 5, 2006, 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-079-2006 which was subsequently adopted by Council and is attached as Appendix S-2.

In a letter dated December 7, 2006, the applicant modified their applications from that presented at the public meeting. Additional documentation dated January 16, 2007, was filed with the Ontario Municipal Board (OMB), which was subsequently amended in a letter dated February 13, 2007. Major changes to the applications include the following:

- The incorporation of a municipal road connection extending between the current termination points of Pagehurst Avenue and Silverplains Drive;
- A total of eight detached lots and three part lots on the south side of the Pagehurst Avenue extension and Silverplains Drive, having a minimum frontage of 12.0 m (39.3 ft.);
- Development of 105 townhouse dwellings on the north of the Pagehurst Avenue extension, as a standard condominium and not as a common element condominium;
- Vehicular access for the townhouse development directly to Burnhamthorpe Road East with no access to Pagehurst Avenue or Silverplains Drive;
- Coordination of development with the adjoining land owner to the west, under the ownership of Radial Investments Limited (see Appendixes S-3, S-4, S-5 and S-6 for detailed information on the above points).

COMMENTS:**COMMUNITY ISSUES**

As noted in Appendix S-1, a Focus Group made up of interested community residents was convened by Councillor Prentice. Meetings were conducted on the following dates: August 8, 2006; September 25, 2006; December 12, 2006; and February 20, 2007. At the meetings, a number of constructive suggestions were made by the residents to address concerns expressed by the community regarding the proposed development form for the lands. The following is a response to the major concerns identified (see Appendix S-1, page 7 for additional information):

Comment

Concern was expressed that the proposal is not compatible with the scale and character of the existing neighbourhood, both from a built form and density perspective, and that the lands should be developed in accordance with the current land use provisions in effect.

Response

See “Planning Comments” section of the report for a complete analysis of the subject applications in this respect.

Comment

The development will have an impact from a traffic perspective on the community.

Response

See “Updated City Department Comments, Transportation and Works” section of the report for an evaluation of the applications from a traffic perspective.

Comment

There is a lack of green space/landscaped area associated with the proposal.

Response

See “Planning Comments” section of the report for recommendations on minimum landscape requirements for the proposal.

Through the processing of the applications, a draft concept plan was provided by the applicant which illustrated park lands to be conveyed to the City. The matter was also raised by the applicant at a Focus Group meeting. However, the Community Services Department has advised that the City will not require the conveyance of land for park or other public recreational purposes (see Appendix S-1, I-5 for additional information).

Comment

How will the remnant parcel to the immediate west, under the ownership of Radial Investments Limited, be developed?

Response

Within the Official Plan, these lands are presently designated to permit detached dwellings. Applications for Official Plan Amendment, Rezoning and Draft Plan of Subdivision have been received, to permit townhouse and detached dwellings, under files OZ 06/032 W3 and T-M06007 W3. A Public Meeting regarding the applications will be scheduled at a future date. Additional comments are provided under the “Planning Comments” section of the report.

Comment

The development of townhouses on the north side of the Pagehurst Avenue extension will create an on-street parking problem.

Response

Any development on the extension of Pagehurst Avenue will create on-street parking. In view of the limited number of dwellings proposed by the applicant and with access provided directly to Burnhamthorpe Road East for the townhouse component of the development, it is not anticipated that on-street parking will be a concern.

Comment

Pedestrian connections are necessary to access parks, schools and other community facilities located to the east.

Response

As a requirement of any approval, the Community Services Department is requesting provision for a future public pedestrian connection to the east (see “Updated City Department Comments” within the report for detailed information).

Comment

How will garbage and recycling be dealt with for the townhouse component of the development?

Response

Details regarding garbage and recycling collection would be dealt with at the site plan stage, in accordance with the requirements of the Region of Peel (see Appendix S-1, A-5), and the Transportation and Works Department. The Region requires that roads be designed to accommodate truck maneuverability. Locations for waste storage and collection must be identified on a Site Plan for all townhouse dwellings.

UPDATED CITY DEPARTMENT COMMENTS**City Community Services Department - Planning,
Development and Business Services Division**

Comments dated April 12, 2007, state that a future multi-use recreational trail has been identified as a long term potential secondary land use in the Hydro One utility corridor located to the west, as outlined in the report titled, *City of Mississauga Submission to the Provincial Secondary Land Use Program for Hydro Corridors (May 2005)*. If the subject applications are approved, a public pedestrian access easement between Silverplains Drive and the western boundary of the subject property will be required, to facilitate a connection with a future trail within the hydro corridor. This requirement will also be reviewed in conjunction with the proposed development for the abutting lands to the west, submitted under files OZ 06/007 W3 and T-M06007 W3 so that public pedestrian access will be achieved between Silverplains Drive and the hydro corridor. If the terms of a future recreational trail are successfully negotiated, these terms would be outlined in a license agreement to be executed between the City and Hydro One.

City Transportation and Works Department

Comments updated March 22, 2007, state that the supporting Traffic Impact Study, Addendum Reports and Signal Warrant Letter have been reviewed and found to be acceptable. From a traffic planning and safety perspective, a westbound centre left turn lane on Burnhamthorpe Road East will be required to support the proposed access to the townhouse units. Accordingly, the

developer is required to provide satisfactory functional design details and a preliminary cost estimate for these works. All costs associated with the design and construction of this site specific road improvement will be the responsibility of the developer. With this improvement and the proposed connection of Pagehurst Avenue to Silverplains Drive, the transportation infrastructure will accommodate the increased traffic generated by this development proposal.

The current draft plan of subdivision/concept plans do not satisfactorily address the completion of the Pagehurst Avenue and Silverplains Drive road allowances. The proposed 17 m right-of-way width for this municipal road extension is unacceptable. The extension is to be designed and constructed as a 20 m right-of-way to match the existing road cross-sections including municipal services and utilities.

The developer has provided a supporting concept plan which illustrates how the adjacent lands to the immediate west could ultimately develop. Based on this concept, it is proposed that the future development of the lands to the west (Radial Investments Limited) would form part of the condominium proposal contemplated under this draft plan of subdivision application. This Department has requested that the developer elaborate as to how this future development to the west will be added to what will be an established condominium development and the means whereby access and servicing for these adjacent lands will be accommodated through this development parcel. Other queries concerning waste collection and functional design details for the proposed townhouse block have not been satisfactorily addressed by the developer. The connection of Pagehurst Avenue to Silverplains Drive will improve area traffic circulation and emergency vehicle response times; provide superior waste collection and snow removal services to the neighbourhood; and avoid costly construction and maintenance of culs-de-sac and servicing easements.

In addition, it was noted that the updated Functional Servicing Report submitted by the developer does not adequately address the previous concerns/comments identified by this Department

regarding the impact of the development proposal on the downstream storm sewer system.

PLANNING COMMENTS

Official Plan

Within the Mississauga Plan Policies for the Applewood District, the subject lands are designated “Residential - Low Density I” which permits detached, semi-detached and duplex dwellings to a maximum density of 17 units per hectare (6.8 units per acre). The applicant is proposing an Official Plan Amendment (OPA) to intensify residential development on the lands (see Appendix S-1 and S-3 for details). The townhouse component of the proposal is not in conformity with the Mississauga Plan Policies for the Applewood District.

The Planning and Building Department has evaluated the applications by having regard for the planning rationale provided by the applicant, comments received from City Departments and other agencies, and the relevant policies of Mississauga Plan. The applications as filed should be refused on the basis that the proposal does not meet the intent and objectives of Mississauga Plan (see pages 5 and 6 of Appendix S-1 which identifies the principles but not an exhaustive list of the policies of Mississauga Plan that apply). The primary concern is for the townhouse dwellings on the north side of the Pagehurst Avenue extension. However, modifications to the application as described below, proposing detached dwellings in place of the townhouses under a “Residential - Low Density I” designation, would result in a satisfactory plan which will preserve the character of the existing neighbourhood yet still facilitate infilling and redevelopment.

The surrounding residential lands to the south and east were developed over 40 years ago for detached dwellings, with generous setbacks, on lots having frontages that range from 15.2 m (50 ft.) to 16.7 m (55 ft.). Over time, street trees and private landscaping have matured, resulting in a community characterized by large lots that contain relatively modest two storey dwellings surrounded by soft landscaping. This form of development is typical of

established, stable, suburban neighbourhoods of the late 1960's era.

It was intended that at a future date, Pagehurst Avenue and Silverplains Drive would be extended through the subject parcels with detached lots of a similar form to what abuts the lands, thereby completing the neighbourhood with a familiar road pattern and compatible built form. A proposal to this effect was draft approved in 1987 by the Region of Peel but never registered. (see Appendix S-1, I-1). The application as filed is a departure from this original plan.

Official Plan policies state that residential intensification, in the form of more compact and higher densities, is encouraged, subject to addressing compatibility, scale and character of the area, and having regard for matters such as lot frontages and areas, building height, coverage, mass, setbacks and privacy. While it is reasonable to develop the northern portion of the lands for townhouses, the lands on the north and south side of the Pagehurst Avenue extension should be developed for single detached dwellings for the following reasons:

- The massing and rhythm of the townhouses presently proposed for the north side of Pagehurst Avenue (3.5 storeys in height and in blocks of up to 11 units) is not in scale nor harmony with existing detached dwellings;
- Detached dwellings would complete the neighbourhood in an orderly fashion through the connection of local streets and sidewalks, of similar design;
- Detached dwellings of a similar scale and character as those proposed for the south side of Pagehurst Avenue would be compatible, notwithstanding the lots are smaller than those existing in the neighbourhood;
- The additional detached dwellings would result in an appropriate, gradual and compatible transition between the existing neighbourhood and the proposed townhouses to the north;
- Building height and mass would be compatible, subject to having similar height restrictions in place for the surrounding area;

- Lot frontages and setbacks would be similar, allowing for continuity in the neighbourhood, including street trees and other private green amenity;
- Limited concerns would exist from a privacy perspective or overlook situation.

If the lands on both sides of the Pagehurst/Silverplains connection are developed for detached dwellings, the density on that portion of the lands would be approximately 13 uph (5.2 upa) and no Official Plan Amendment would be required for that portion of the site.

An Official Plan Amendment to permit the development of the remainder of the lands, abutting Burnhamthorpe Road East, for townhouse dwellings under a “Residential - Medium Density I - Special Site” designation can be supported for the following reasons:

- With smaller detached lots on the north side of Pagehurst Avenue, the townhouses would provide a transition in built form from both Burnhamthorpe Road East and the place of religious assembly along the eastern boundary of the site, to the lower density residential uses in the interior of the community;
- The development would provide for a logical development as it relates to built form, street pattern and use of existing services;
- The development would result in a more compact urban form, and would provide an alternative form of housing within the community supported by all levels of services;
- Technical studies submitted in support of the applications have confirmed that development would appear to have limited impacts from a traffic, environmental, acoustical and municipal servicing perspective, subject to the recommendations provided by the Transportation and Works Department of a 20 m (65.6 ft.) cross section for Pagehurst Avenue and turning lanes for Burnhamthorpe Road East;

- Additional development will support transit services that regularly operate on Burnhamthorpe Road East and nearby on Ponytrail Drive, Dixie Road and Bloor Street;
- The lands are well situated to take advantage of a range of community services including Glenforest Pool, Burnhamthorpe Community Centre, Burnhamthorpe Library, a number of parks, all level of schools, and a range of commercial opportunities. Many of the above services can be accessed from the subject lands without the use of a vehicle.

The applicant has requested that Special Site Policies apply to the “Residential - Medium Density I” designation to permit 105 townhouse dwellings. The Mississauga Plan policies for this designation provide for a density range of 25-50 uph (10-20 upa). The applicant is proposing 73 uph (29.5 upa). To ensure that the quantity and quality of outdoor amenity space and landscape area provided for residents within the development is appropriate, that hard surface area is reduced, and to provide room for waste collection facilities and utility infrastructure, staff recommend that the upper limit of 50 uph (20 upa) be maintained.

A concept plan prepared by the Planning and Building Department which illustrates the conceptual street pattern layout, and detached dwelling and townhouse built form that is in keeping with the goals and objectives of the Official Plan is attached as Appendix S-7. This plan would also facilitate a traditional on-street parking arrangement.

Mississauga Plan Section 5.3.2 Policies

As noted within Appendix S-1 on Page 6, Mississauga Plan contains criteria that requires the submission of satisfactory documents to demonstrate the rationale for any proposed Official Plan Amendment.

In support of the applications, a Planning Justification report was completed by Bousfields Inc., dated November 5, 2005. The document, based on the original submission, was not updated to reflect the most recent plans as filed with the OMB. While this document adequately addresses the appropriateness and rationale

for developing townhouses on the subject lands, it fails in appropriately describing the necessity in achieving a transition between the townhouse development and the existing residential community.

While a portion of the lands are suitable for the development of townhouse dwellings, an appropriate transition is required to the established community to the south. This is best achieved through completing the neighbourhood street pattern with detached dwellings of similar size on both sides of Pagehurst Avenue. The development of townhouses fronting onto Pagehurst Avenue is not in keeping with the overall intent, goals and objectives of Mississauga Plan, as described above. In addition, certain infrastructure changes are required to facilitate the development, as requested by the Transportation and Works Department.

Zoning

The applicant is proposing to rezone the lands from “R3” (Detached Residential) to “R4(12)-Special Section” (Detached Residential) and “RM5-Special Section” (Multiple Residential) to permit townhouse and detached dwellings (see Appendix S-1 and S-3 for details). As described above, staff cannot support townhouse development fronting onto the extension of Pagehurst Avenue, and recommend that it be replaced with detached dwellings, under a “R4(12)” (Detached Residential) zoning to match what is being proposed on the south side of the street.

Proposed “R4(12)” Zone Provisions

The applicant has requested several changes to the standard “R4(12)” (Detached Residential) zone, some of which are specific only to certain lots, including the following (see Appendix S-3 for full details):

	Required	Proposed
Min. lot frontage		
Interior:	12 m (39.3 ft.)	12.0 m (39.4 ft.)
Corner:	16.5 m (54.1 ft.)	12.0 m (39.4 ft.)
Minimum lot area:	365 m ²	325 m ²

Minimum corner lot area:	(3,928 sq. ft.) 500 m ² (5,381 sq. ft.)	(3,498 sq. ft.) 325 m ² (3,498 sq. ft.)
Minimum front yard:	4.5 m (14.7 ft.) with 6.0 m (19.6 ft.) for a garage	3.75 m (12.3 ft.)
Minimum exterior side yard:	4.5 m (14.7 ft.)	1.2 m (3.9 ft.)
Maximum building height:	10.7 m (35.1 ft.), maximum 2 storeys abutting existing residential	11 m (36 ft.)

As the proposed “R4(12)” lots will be smaller than the existing larger lots to the south and east and already represent a variation of the lot pattern within this established neighbourhood, it is recommended not to reduce the development standards any further. To do so may change the character of the neighbourhood, resulting in less spacing between homes and less room for landscaping opportunities. Accordingly, the lot configuration should be altered to reflect the standard “R4(12)” zone provisions. This would represent an efficient use of the land without dramatically altering the character of the neighbourhood. Applying the “R4(12)” zone standards would allow for approximately 22 detached dwellings, five of which would be developed in conjunction with lands to the west.

Proposed “RM5” Zone Provisions

Although an “RM5-Special Section” (Multiple Family) zone is appropriate for the townhouses proposed on the north portion of the site, the application is proposing some variances to the standard “RM5” zone which are not appropriate.

Firstly, a maximum gross floor area (GFA) of 1.16 times the lot area and a minimum open space of 20 % of the lot area have been requested. In keeping with the recommendation provided above respecting density to provide an appropriate outdoor amenity and landscape area, reduction in hard surface, and room for waste and utility facilities, staff recommend a maximum GFA of 0.50 times the lot area and a minimum landscape open space of 40% of the lot

area. This is in keeping with the current standard “RM5” zone requirements, and appropriate for the site specific characteristics associated with the development and surrounding community. Consideration could be given to including the rear yard deck area as part of the landscape open space calculation.

In addition, a maximum number of 105 dwelling units have been requested. This number would be reduced if there were detached dwellings on the north side of Pagehurst Avenue and if the maximum GFA of 0.5 times the lot area and a minimum open space of 40% is required.

Provided that the above noted GFA and landscape open space requirements are met, the following “RM5-Special Section” (Multiple Residential) zoning provisions could be supported:

- Rear yard decks having a depth of 3.5 m (11.4 ft);
- Units having a minimum dwelling frontage of 4.26 m (14.0 ft.), subject to all vehicular access for the units being at the rear. Any units having a garage accessed from the front should have a minimum dwelling frontage of 5.0 m (16.4 ft);
- Maximum building height of 13.6 m (44.6 ft.), above established grade;
- No requirement for parking of recreational equipment whereas 0.05 spaces is required.

The proposed Schedule “I” would need to be modified to reflect the above recommendations, and to address matters as discussed under the Site Plan section of the report.

Proposed Draft Zoning By-law

The zoning for the subject lands under the new draft zoning by-law released in January 2005 is proposed to be “R3” (Detached Dwellings - Typical Lots). This proposed zone is consistent with the permitted uses and regulations contained within the existing “R3” (Detached Residential) zone. Should these applications be approved, a new “RM4-Exception” (Townhouse Dwellings) and “R3-Exception” (Detached Dwellings-Typical Lots) single

detached zone would be required to reflect the site specific provisions sought through these applications.

Draft Plan of Subdivision

The draft plan of subdivision for the subject lands proposes one townhouse block, eight detached lots, and three detached blocks, fronting onto extensions of Pagehurst Avenue and Silverplains Drive (see Appendix S-4). Both Pagehurst Avenue and Silverplains Drive will be public right-of-ways. Roads within the townhouse development will form part of the proposed standard condominium.

It is recommended that the application be refused for reasons as identified above respecting compatibility and zoning standard concerns. An acceptable plan would incorporate the following (see Appendix S-7):

- Detached lots on the north side of the Pagehurst Avenue extension;
- Lots having appropriate dimensions to achieve development in accordance with the “R4(12)” (Detached Residential) zone provisions;
- Appropriate coordination with the landowner to the immediate west (Radial Investments Limited, see Appendix S-6) through the entering of required development and servicing agreements and the registration of applicable easement documents;
- Formal pedestrian connections between the townhouse component and the detached community to the south, to allow pedestrian movement through the site into the community and to access transit on Burnhamthorpe Road East.

Site Plan Matters

The lands proposed for the townhouse component are subject to site plan approval. To date, only a concept plan has been filed (Appendix S-5), in conjunction with preliminary building elevations (Appendix S-8 and S-9). No formal site plan application has been filed with the City, and is therefore not before

the OMB for its consideration. The following comments will be applicable through the review of the site plan application once submitted:

- The development shall incorporate an outdoor play space, in accordance with City guidelines;
- Minimum landscape areas will be required along Burnhamthorpe Road East, around the site perimeter, and in front of each dwelling;
- An appropriate interface shall be provided between townhouse dwellings and detached dwellings, having regard for fencing and overlook conditions;
- Pedestrian connections should be provided through the development and to neighbouring streets, where possible;
- Townhouse blocks should contain a maximum of eight dwellings;
- Setbacks, roads, driveway and sidewalk dimensioning should be consistent with those identified in City guidelines. This includes a 4.5 m (14.7 ft.) setback from the street line to allow for landscaping and servicing;
- Building facades facing Burnhamthorpe Road East should be active, and provide direct pedestrian access;
- Visitor parking should be distributed throughout the site;
- On-site garbage and recycling collection shall be in accordance with the standards of the Region of Peel;
- All applicable site plan related matters should be coordinated with development proposed for lands to the immediate west.

Interim Residential Policies

On September 27, 2006, City Council endorsed OPA No. 58. This amendment added interim residential policies to Mississauga Plan. These policies protect stable neighbourhoods from inappropriate intensification and direct intensification to the Urban Growth Centre which runs south from Matheson Boulevard East to the Queen Elizabeth Way (QEW) along both sides of Hurontario Street and includes all of City Centre. Although the application was submitted prior to the adoption of OPA 58, Council has

indicated its commitment to ensure that intensification and redevelopment is promoted in the appropriate areas.

Page 9 of Appendix S-1 provides details on the proposed Intensification Guidelines for the City. The development form proposed for the lands as amended to incorporate the changes recommended by staff, is in keeping with these guidelines.

Provincial Policy Statement

As of March 1, 2005, a new Provincial Policy Statement (PPS) took effect which sets the broad policy direction for planning decisions province-wide and lays the groundwork for other Government initiatives including the Greenbelt Plan, Places to Grow Plan and the Transportation Strategy. The Policies state that “new development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities”. The Provincial Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system. The application as amended to incorporate the changes recommended by staff would be in keeping with the PPS.

Growth Plan for the Greater Golden Horseshoe

In June 2006, the Province released the *Growth Plan for the Greater Golden Horseshoe (Growth Plan)*. The *Growth Plan* provides direction on transportation, infrastructure planning, land use planning, urban form and housing to manage growth in the Golden Horseshoe Region to 2031. The *Growth Plan*, among other things, identifies Mississauga City Centre as being an urban growth centre and encourages transit supportive densities and the efficient use of land and infrastructure while discouraging sprawl. Although the *Growth Plan* encourages intensification generally throughout the built up area, it also states that it focuses “intensification in intensification areas such as urban growth centres, intensification corridors and major transit station areas.” Burnhamthorpe Road would meet the *Growth Plan*’s definition of an intensification corridor. However, the Plan also states that

intensification needs to be directed to appropriate areas. The *Growth Plan* came into effect after the applications were received. Staff, however, have reviewed the Plan and are of the opinion that if the applications as amended were modified in accordance with the recommendations made by staff, they would still continue to meet the objectives of the *Growth Plan*.

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, rezoning and draft plan of subdivision applications are unacceptable from a planning standpoint and should not be approved for the following reasons:

1. The proposal for townhouse dwellings directly fronting on the north side of the Pagehurst Avenue extension is not compatible with the existing community. An alternative of detached dwellings is recommended. Townhouse dwellings fronting onto Burnhamthorpe Road can be supported, at a maximum density of 50 uph (20 upa).
2. The proposal for exceptions to the detached dwelling zone provisions is incompatible with the existing community. It is recommended that the standard “R4(12)” (Detached Residential) zone provisions apply, with certain height restrictions.
3. Exceptions for maximum density and minimum open space to the “RM5” (Multiple Family) zone provisions are inappropriate, and should be modified in accordance with recommendations in the report to provide a greater amount of open space within the development.
4. The plan does not incorporate an appropriate road cross section for the Pagehurst Avenue extension, or required turning lanes on Burnhamthorpe Road East.

It is recommended that Council endorse the road configuration and development form as identified in Appendix S-7, Alternative

Conceptual Design, which provides for an appropriate level of development for the lands that is consistent with the goals and objectives of the Official Plan, and in keeping with the surrounding community.

ATTACHMENTS:

Appendix S-1 - Information Report
Appendix S-2 - Recommendation PDC-079-2006
Appendix S-3 - Proposed Dunpar Official Plan and
Zoning Provisions
Appendix S-4 - Revised Dunpar Draft Plan of Subdivision
Appendix S-5 - Revised Dunpar Concept Plan
Appendix S-6 - Proposed Radial Investments Plan
Appendix S-7 - Alternative Conceptual Design
Appendix S-8 - Preliminary Building Elevations (Townhouses)
Appendix S-9 - Preliminary Building Elevations (Detached)

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Rob Hughes, Development Planner



Corporate Report

Clerk's Files

Appendix S-1

Originator's

Files OZ 05/042 W3

T-M05010 W3

PDC SEP 05 2006

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.

BACKGROUND:

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.

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 *Planning Act*. 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 OMB.

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 that has been referred to the OMB are as follows:

Development Proposal	
Number of Units	Townhouse Dwellings: 100 Detached Dwellings: 11

Building Height:	All Dwellings: 13.6 ft. (44.6 ft.), being three storeys
Lot Coverage:	Including Rear Decks: 41.2%
Floor Space Index:	0.935 times the lot area
Gross and Net Density	54 units/ha 22 units/acre
Landscaped Area:	33.94%
Anticipated Population*:	Townhouses: 297 people Detached Dwellings: 37 people 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 Required:	Townhouses: 200 spaces Detached Dwellings: 22 spaces Visitor: 28 spaces Total: 250 spaces
Parking Provided:	Townhouses: 200 spaces Detached Dwellings: 44 spaces Visitor: 28 spaces Total: 272 spaces
Supporting Documents:	- Planning Justification Report dated 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 Area:	2.06 ha (5.1 ac.)
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.

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

"Residential - Low Density I" which permits detached, semi-detached 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 than 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:

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

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 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 - Concept Plan
Appendix I-8 - Proposed Zoning Standards
Appendix I-9 - General Context Map

Edward R. Sajecki
Commissioner of Planning and Building

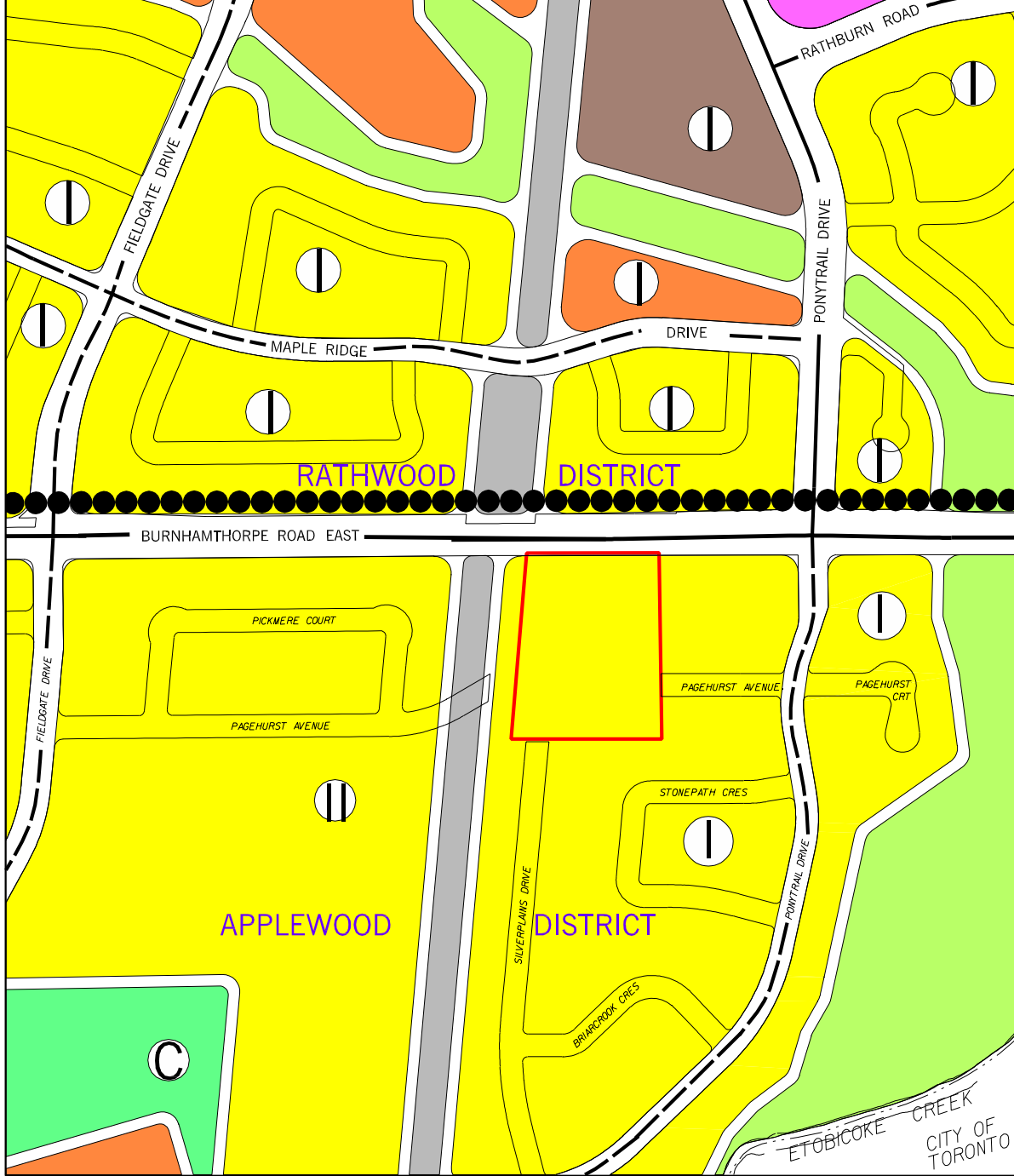
Prepared By: Rob Hughes, Development Planner

Dunpar Developments Inc.

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.



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
- Greenbelt
- Utility

TRANSPORTATION LEGEND

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

LAND USE LEGEND

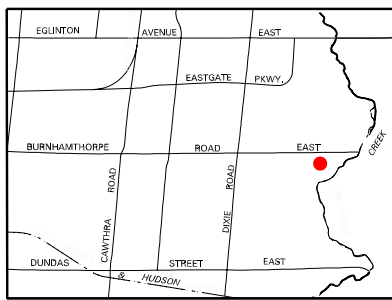
- Node Boundary
- Community Park
- Cemetery
- 1996 NEP/2000 NEF Composite Noise Contours
- Planning District

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.

SUBJECT LANDS



SUBJECT:
DUNPAR DEVELOPMENTS INC.

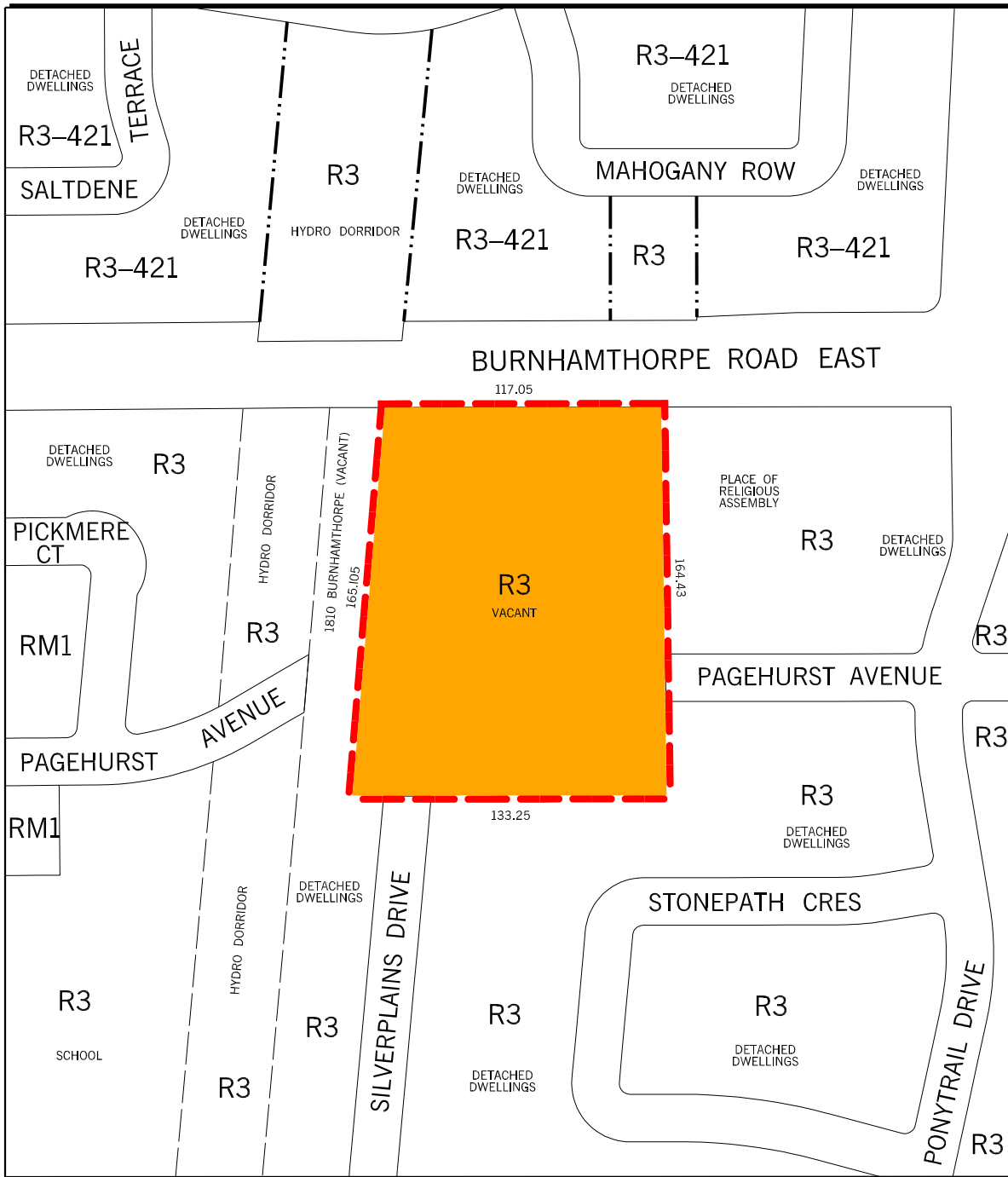


FILE NO:
OZ 05042 W3 &
T-M05010 W3
DWG. NO:
05042L
SCALE:
NTS
PDC DATE:
2006 09 05
DRAWN BY:
K. PROKOP

APPENDIX I-2

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics



LEGEND:



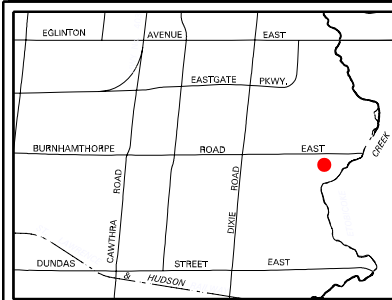
PROPOSED OFFICIAL PLAN AMENDMENT FROM "RESIDENTIAL-LOW DENSITY I" TO "RESIDENTIAL-MEDIUM DENSITY II-SPECIAL SITE" AND PROPOSED REZONING FROM "R3"(DETACHED RESIDENTIAL) TO "RM5-SPECIAL SECTION", IN ADDITION TO A DRAFT PLAN OF SUBDIVISION, TO PERMIT 100 TOWNHOUSE DWELLINGS AND 11 DETACHED DWELLINGS.

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



SUBJECT:

DUNPAR DEVELOPMENTS INC.



FILE NO:
OZ 05042 W3 &
T-M05010 W3
DWG. NO:
05042R
SCALE:
1:2000
PDC DATE:
2006 09 05
DRAWN BY:
K. PROKOP

EXHIBIT I-3

MISSISSAUGA
Planning and Building

Produced by
T&W, LIS



LEGEND:



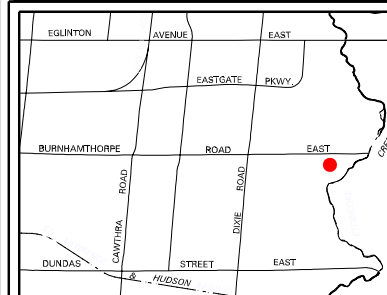
SUBJECT LANDS

DATE OF AERIAL PHOTO: 2006



SUBJECT:

DUNPAR DEVELOPMENTS INC.



FILE NO:
OZ 05042 W3 &
T-M05010 W3

DWG. NO:
05042A

SCALE:
1:2000

PDC DATE:
2006 09 05

DRAWN BY:
K. PROKOP

EXHIBIT I-4

Dunpar Developments Inc.**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.

Agency / Comment Date	Comment
Region of Peel (May 23, 2006)	Regional staff have no objection to the approval of the development. Municipal sanitary sewer facilities consist of a 250 mm diameter sanitary sewer located on Pagehurst Avenue and Silverplains Drive. Municipal water facilities consist of a 200 mm diameter watermain located on Pagehurst Avenue and Silverplains Drive, and a 150 mm diameter watermain on Burnhamthorpe Road. Site servicing will also require looping of 200 mm and 150 mm diameter watermain between Pagehurst Avenue, Silverplains Drive and Burnhamthorpe Road. The subject lands are not located within the vicinity of a landfill. A cul-de-sac or "T"-turnaround is required at the end of each laneway and at the dead-end road in the southeast and southwest corners of the site to facilitate waste management trucks. A complete list of Regional conditions of draft plan approval are listed within their comments.
Dufferin-Peel Catholic District School Board (March 24, 2006) and the Peel District School Board (February 9, 2006)	<p>The Dufferin-Peel Catholic District School Board and the Peel 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 also require the clearance of certain conditions of draft plan approval respecting bussing and accommodation of students. The following shall be placed in any agreement of purchase and sale:</p>

Dunpar Developments Inc.

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

Agency / Comment Date	Comment
	<p>“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.”</p>
<p>City Community Services Department – Planning, Development and Business Services Division (July 28, 2006)</p>	<p>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.</p> <p>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.</p>
<p>City Community Services Department – Fire and Emergency Services Division (March 24, 2006)</p>	<p>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.</p>
<p>City Transportation and Works Department (July 31, 2006)</p>	<p>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.</p>

Dunpar Developments Inc.

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

Agency / Comment Date	Comment
	<p>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.</p> <p>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.</p> <p>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.</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> <ul style="list-style-type: none"> - Bell Canada - Canada Post - City Development Services - City Economic Development Office - Enbridge Gas Distribution Inc. - Enersource Hydro Mississauga - Hydro One Networks Inc.

Dunpar Developments Inc.**File: OZ 05/042 W3 and T-M05010 W3**

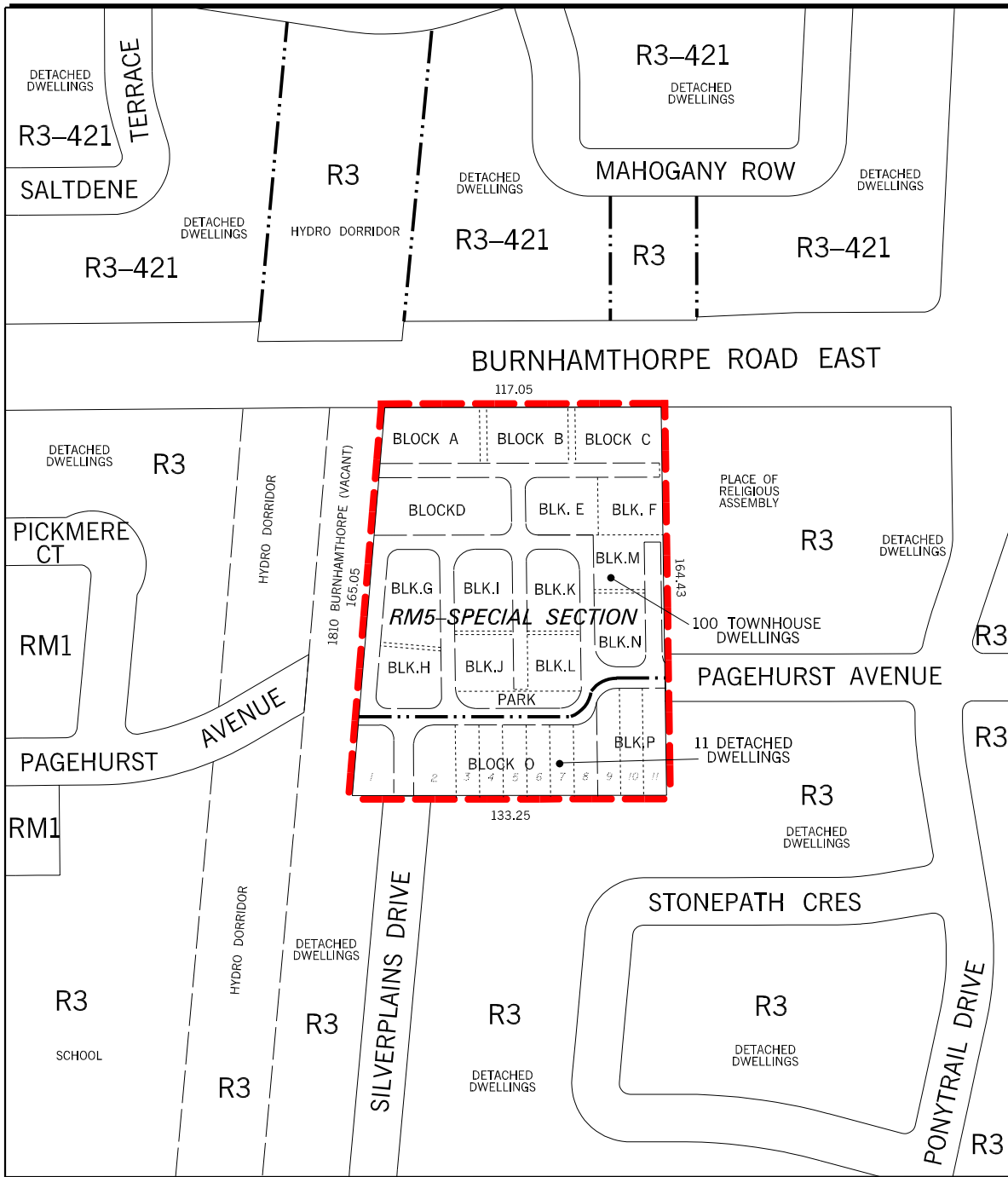
Agency / Comment Date	Comment
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <ul style="list-style-type: none">- City Realty Services- Conseil Scolaire de District Catholique Centre-Sud- Conseil Scolaire de District Centre-Sud-Ouest

Dunpar Developments Inc.


File: OZ 05/042 W3 and T-M05010 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"> 19 Kindergarten to Grade 5 10 Grade 6 to Grade 8 17 Grade 9 to Grade 12/OAC School Accommodation: <ul style="list-style-type: none"> Forest Glen Public School <ul style="list-style-type: none"> Enrolment: 545 Capacity: 573 Portables: 3 Glenhaven Senior Public School <ul style="list-style-type: none"> Enrolment: 546 Capacity: 542 Portables: 1 Glenforest Secondary School <ul style="list-style-type: none"> Enrolment: 1,273 Capacity: 1,023 Portables: 0 <p>* Note: Capacity reflects the Ministry of Education rated capacity, not the Board rated capacity, resulting in the requirement of portables.</p>	<ul style="list-style-type: none"> Student Yield: <ul style="list-style-type: none"> 27 Junior Kindergarten to Grade 8 8 Grade 9 to Grade 12/OAC School Accommodation: <ul style="list-style-type: none"> St. Alfred School <ul style="list-style-type: none"> Enrolment: 527 Capacity: 474 Portables: 0 Philip Pocock Secondary School <ul style="list-style-type: none"> Enrolment: 1,401 Capacity: 1,257 Portables: 5



LEGEND:

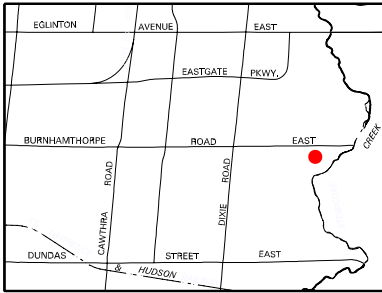
 **CONCEPT PLAN**

NOTE: PROPOSED ZONING IS DELINEATED AND SHOWN IN ITALICS WITHIN THE APPLICATION AREA.



SUBJECT:

DUNPAR DEVELOPMENTS INC.



FILE NO:
OZ 05042 W3 &
T-M05010 W3

DWG. NO:
05042S

SCALE:
1:2000

PDC DATE:
2006 09 05

DRAWN BY:
K. PROKOP

MISSISSAUGA
Planning and Building

Produced by
T&W, LIS

EXHIBIT I-7

Dunpar Developments Inc.

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 (Interior/Corner)	115/190 m ² (1,238 sq. ft./ 2,045 sq. ft.)	84 m ² (276 sq. ft.)
Minimum Lot Frontage (Interior/Corner)	5.0/8.3 m (16.4/27.2 ft.)	4.2/4.4 m (13.7/14.4 ft.)
Minimum Dwelling Unit Width	5.0 m (16.4 ft.)	4.2 m (13.7 ft.)
Minimum Front Yard Dwelling: Front garage face:	4.5 m (14.8 ft.) 6.0 m (19.7 ft.)	4.0 m (13.1 ft.) No change (rear lane proposed)
Minimum Exterior Side Yard Dwelling: Front garage: Adjacent to a sidewalk: Adjacent to parking area: Adjacent to amenity area:	4.5 m (14.8 ft.) 6.0 m (19.7 ft.) 3.3 m (10.8 ft.) 3.3 m (10.8 ft.) 1.5 m (4.9 ft.)	4.0 m (13.1 ft.) No change 1.0 m (3.3 ft.) No change 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 m ² (645.8 sq. ft.)	No change
Parking and Driveways Minimum spaces per dwelling: Minimum visitor spaces: Maximum driveway width:	2 0.25/dwelling 3.8 m (12.5 ft.)	No change No change No change
Private Garage	Required	No change
Maximum Encroachments Porches: Front yard projections: Side yard projections: Rear yard decks:	1.5 m (4.9 ft.) 0.6 m (2.0 ft.) 0.3 m (1.0 ft.) 2.5 m (8.2 ft.)	No change No change No change No change
Minimum Width of Private Road Road only: Road with sidewalk: Road with parallel parking: Road with sidewalk and parking:	7.0 m (22.9 ft.) 8.2 m (26.9 ft.) 6.0 m (19.6 ft.) 7.2 m (23.6 ft.)	No change No change No change No change

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

APPENDIX I-9



Dunpar Developments Inc.

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

Recommendation PDC-079-2006

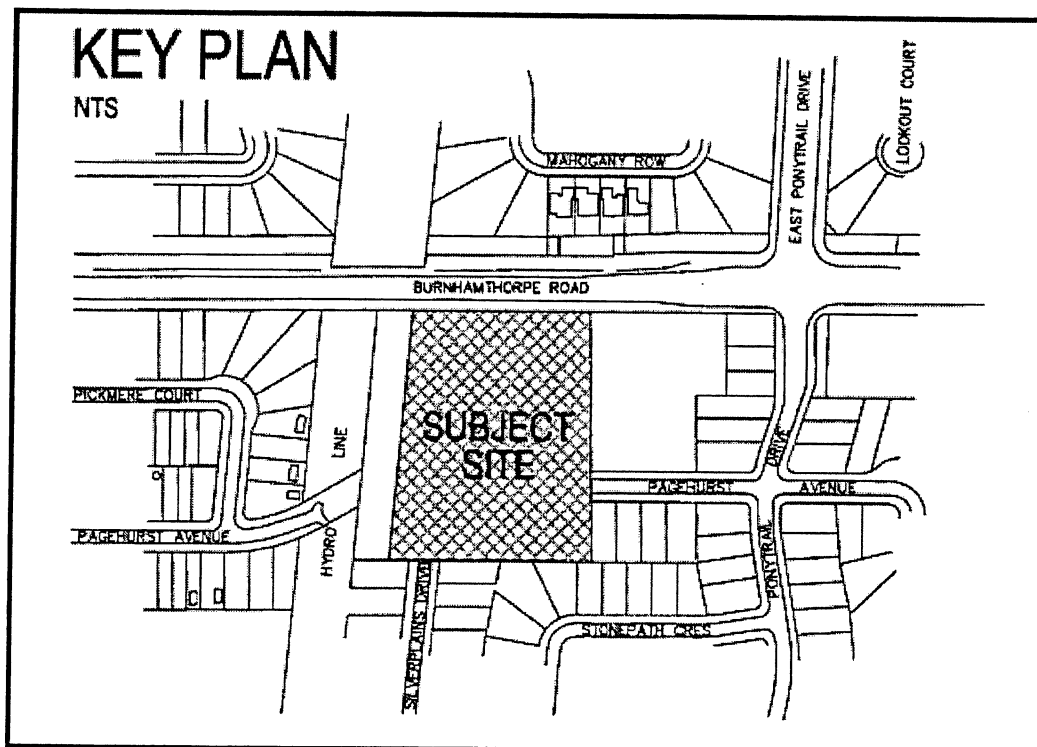
- PDC-079-2006
- “1. That the Report dated August 15, 2006, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from ‘Residential - Low Density I’ to ‘Residential - Medium Density II - Special Site’ and to change the Zoning from ‘R3’ (Detached Residential) 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.
 2. That the e-mail dated August 15, 2006 from Gerry Fedchun in opposition to the above development, be received.
 3. That letter dated September 1, 2006 from Radial Investments Limited, with respect to the above development application, be received.
 4. That the petition with approximately 270 signatures submitted by James Nicoll in opposition to the above development proposal, be received and referred to the Planning & Building Department.”

**EXPLANATORY NOTE TO PROPOSED
OFFICIAL PLAN AMENDMENT
NUMBER XXX**

The proposed Official Plan Amendment applies to lands located on the south side of Burnhamthorpe Road East, west of Ponytrail Drive, in the City of Mississauga. The lands are legally described as Part of Lot 2, Concession 1, North of Dundas Street and Part of Lots 2, 3 and 4, Registered Plan 387, and in the year 2007, are known municipally as 1820, 1826, 1836, and 1850 Burnhamthorpe Road East.

The subject lands are currently designated Residential – Low Density I on the Applewood District Land Use Map. The Residential – Low Density I designation permits detached, semi-detached and duplex dwellings to a maximum of 17 units per net residential hectare.

The purpose of the proposed Official Plan Amendment is to redesignate the northerly portion of the subject lands, fronting on the Burnhamthorpe Road, from Residential - Low Density I to Residential – Medium Density I, and to introduce a site-specific policy applicable to these lands and a parcel to the south which will remain designated Residential – Low Density I. The proposed Official Plan Amendment would permit the development of the subject lands for 8 single detached dwellings and 3 part lots for future detached dwellings backing onto detached lots to the south and 105 condominium townhouse dwellings on the remaining lands, which have frontage on Burnhamthorpe Road East.



Amendment No. XXX

to the Official (Mississauga) Plan for the

City of Mississauga Planning Area

The following text and map designated Schedule “A” attached hereto constitutes Amendment No. XXX.

PURPOSE

The Purpose of the Official Plan Amendment is to delete the Residential – Low Density I designation applying to a parcel of 1.56 hectares (3.86 acres) fronting on the south side of Burnhamthorpe Road East as contained on the Applewood District Land Use Map and replace it with a Residential – Medium Density I designation, and to introduce a site-specific policy applicable to these lands and a 0.49 hectare (1.22 acre) parcel to the south which will remain designated Residential – Low Density I.

This Amendment will permit a proposed development of 8 single detached dwellings and 3 part lots for future detached dwellings fronting on extensions of Pagehurst Avenue and Silverplains Drive and 105 condominium townhouse dwellings in a block on the north side of Pagehurst Avenue.

LOCATION

The subject lands are located on the south side of Burnhamthorpe Road East, east of Fieldgate Drive and west of Ponytrail Drive, in the City of Mississauga. The lands are legally described as Part of Lot 2, Concession 1, North of Dundas Street and Part of Lots 2, 3 and 4, Registered Plan 387, and in the year 2007, are known municipally as 1820, 1826, 1836, and 1850 Burnhamthorpe Road East.

BASIS

The subject lands are located in the Applewood District. The subject lands are currently designated “Residential Low Density I” permitting detached, semi-detached and duplex dwellings with a maximum density of 17 units per net residential hectare.

The development concept for the lands consists of 8 single detached dwellings and 3 part lots for future detached dwellings along the south side of the property backing onto existing single detached lots and 105 condominium townhouse dwellings. The residential policies of the Applewood District Plan permit detached, semi-detached and duplex dwellings with a maximum density of 17 units per net residential hectare within the Residential Low Density I designation, and townhouse dwellings within a density range of 25-50 units per net residential hectare within the Residential - Medium Density I designation.

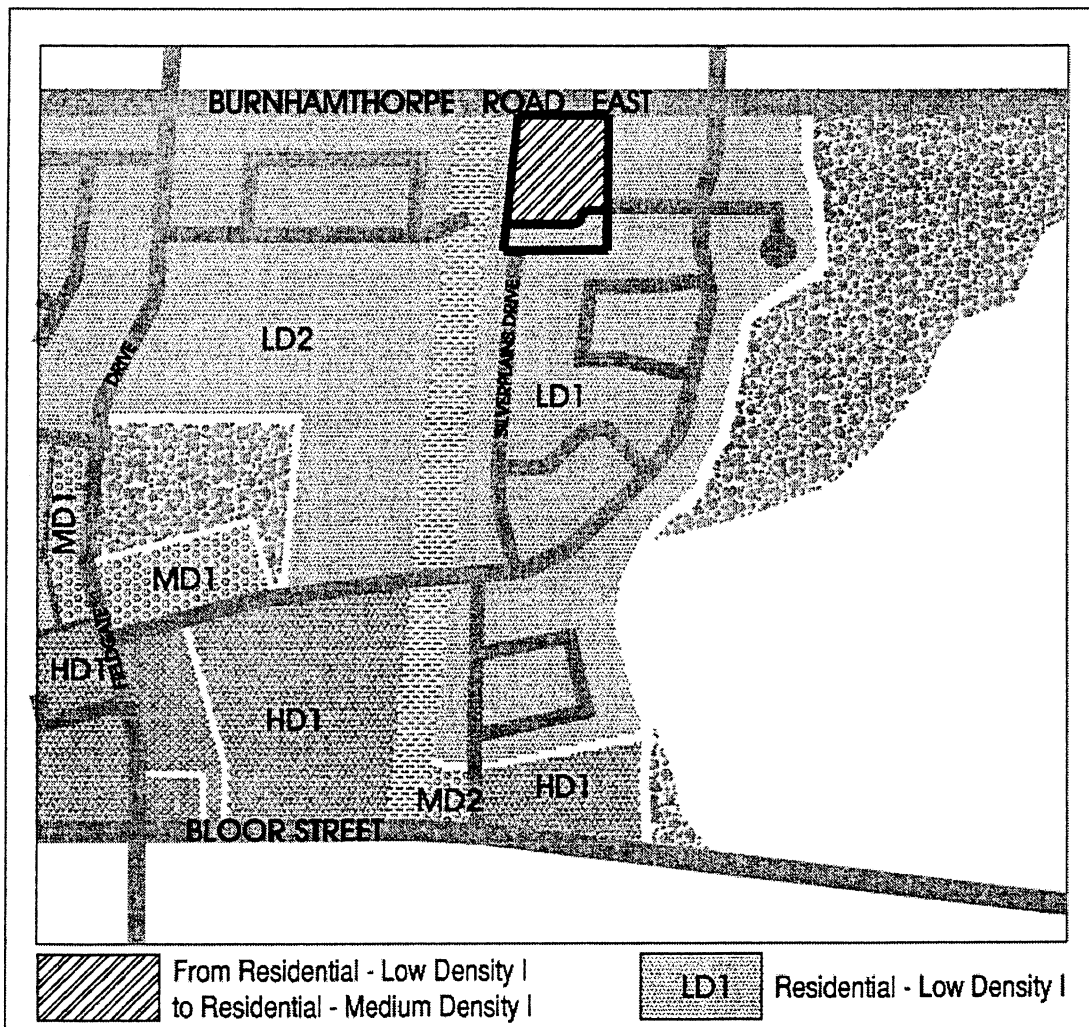
The Official Plan Amendment is appropriate from a planning standpoint for the following reasons:

- i. the site is vacant and is designated and zoned for residential purposes;
- ii. the proposed use of the site for a low and medium density development will make efficient use of existing infrastructure and is supported by policies encouraging residential intensification at the Provincial, Regional and City levels;

- iii. the proposed infill development will assist in building out the residential neighbourhood; and
- iv. single detached dwellings are compatible with the low-density area to the south and east, and townhousing is appropriate for the remaining lands which have frontage on Burnhamthorpe Road East, a major arterial road.

DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

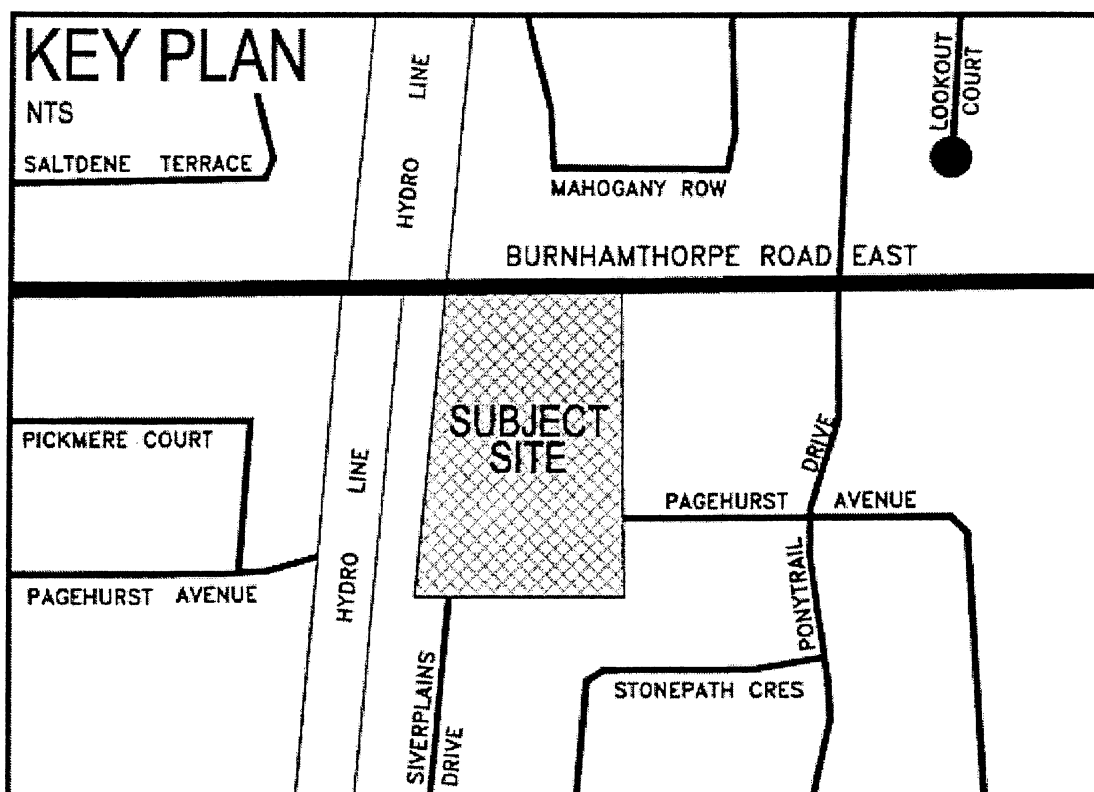
1. The Applewood District Land Use Map is hereby amended by deleting the Residential - Low Density I designation on the northerly 1.56 hectares (3.86 acres) and replacing it with a Residential – Medium Density I designation, while retaining the Residential – Low Density I designation on the southerly 0.49 hectare (1.22 acres), as shown on Schedule “A” attached hereto.



Schedule "A" to Official Plan Amendment No. ____

2. The Applewood District Policies of the Mississauga Plan are hereby amended by adding the following text and map, which constitutes Site Specific Policy 4.3.6.11:

4.3.6.11 Site 10



The lands identified as Special Site 10 are located on the south side of Burnhamthorpe Road East, west of Ponytrail Drive.

Notwithstanding the provisions of the Residential - Medium Density I designation applying to the northerly portion of the site, a maximum of 105 townhouse units will be permitted.

Notwithstanding the provisions of the Residential - Low Density I designation applying to the southerly portion of the site, a maximum of 8 detached dwellings and 3 part lots for future detached dwellings will be permitted.

IMPLEMENTATION

Upon the approval of this Amendment by the City of Mississauga, the Zoning By-law applicable to the subject lands will be amended to the appropriate classification, in accordance with the intent of this Amendment.

Provisions will be made through the rezoning and site development plan approval process of the lands subject to the Amendment, for development to occur subject to the approved site development plan, to ensure that development occurs in accordance with the intent of the Amendment.

Provisions will be made through the rezoning of the lands subject to this Amendment, for development to occur subject to approved site development, architectural and landscape plans, to ensure that site access, buildings, parking and landscaping are satisfactorily located and designed.

INTERPRETATION

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

This Amendment supplements the intent and policies of the District Plan.

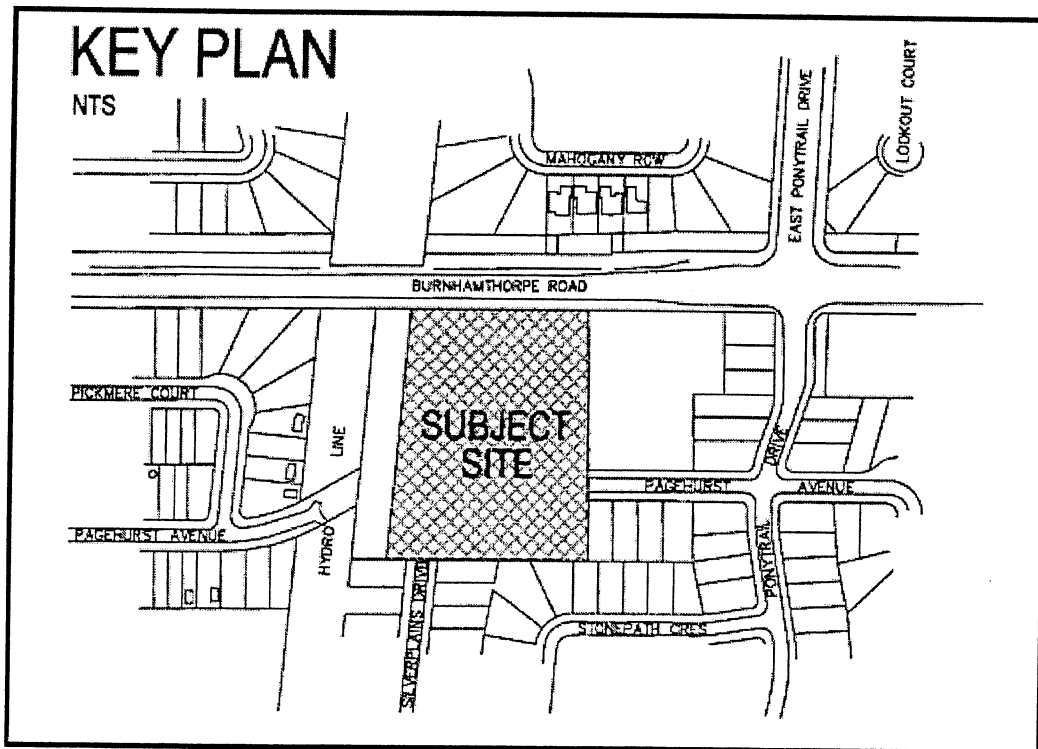
Upon approval of this Amendment, the Applewood District Land Use Map of the Applewood District Policies, will be amended in accordance with the intent of this Amendment.

EXPLANATORY NOTE TO PROPOSED ZONING BY-LAW NUMBER XXXX-2007

This amendment applies to lands located on the south side of Burnhamthorpe Road East, west of Ponytrail Drive, in the City of Mississauga. The lands are legally described as Part of Lot 2, Concession 1, North of Dundas Street and Part of Lots 2, 3 and 4, Registered Plan 387, and in the year 2007, are known municipally as 1820, 1826, 1836, and 1850 Burnhamthorpe Road East.

The subject lands are currently zoned R3. The R3 zoning permits residential uses, including single-family detached dwellings, a place of religious assembly, schools, parks, and certain other institutional and public uses.

The Purpose of the Zoning By-law Amendment is to rezone the lands from the R3 zone to a site-specific R4(12) Zone on the southerly portion of the lands and a site-specific RM5 zone on the northerly portion of the lands in order to permit a residential development consisting of 8 single detached dwellings and 3 part lots for future detached dwellings and 105 townhouse dwellings. The site-specific exception applying to the RM5 Zone would permit a maximum of 105 townhouses, with a maximum gross floor area of 1.16 times the lot area and a minimum open space of 20% of the lot area. The exception would also specify requirements for decks and other projections, building widths, and parking. The site-specific R4(12) Zone would permit detached dwellings on lots with a minimum frontage of 12 metres and a minimum area of 325 square metres.



THE CORPORATION OF THE CITY OF MISSISSAUGA

BY-LAW NUMBER XXXX-2007

A by-law to amend By-law Number 5500, as amended.

WHEREAS pursuant to section 34 of the *Planning Act*, R.S.O., 1990, c.P.13, as amended, the council of a local municipality may pass a zoning by-law;

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

1. Map Number 19 of Schedule "B" to By-law Number 5500, as amended, is amended by changing thereon from "R3" to "RM5-xxxx" and "R4(12)-xxxx", the zoning of Part of Lot 2, Concession 1, North of Dundas Street and Part of Lot 2, Concession 1, North of Dundas Street and Part of Lots 2, 3 and 4, Registered Plan 387, in the City of Mississauga, PROVIDED HOWEVER THAT the "RM5-xxxx" and "R4(12)-xxxx" zoning shall only apply to the lands which are shown on the attached "Schedule A" outlined in the heaviest broken line with the "RM5-xxxx" and "R4(12)-xxxx" zoning indicated thereon.
2. By-law Number 5500, as amended, being a City of Mississauga Zoning By-law (former Town of Mississauga), is amended by adding the following section:
 - xxxx. Notwithstanding their "R4(12)" zoning, the lands delineated as "R4(12)-xxxx" on Schedule "B" of this By-law shall be used for one-family detached dwellings only, in compliance with the following:
 - (1) the minimum lot area for an interior lot shall be 325 square metres;
 - (2) the minimum lot frontage for a corner lot shall be 12 metres;
 - (3) the minimum lot area for a corner lot shall be 325 square metres;
 - (4) the minimum front yard setback shall be 3.75 metres;
 - (5) the minimum exterior side yard setback shall be 1.2 metres;
 - (6) the maximum building height shall be 11 metres.

3. By-law Number 5500, as amended, being a City of Mississauga Zoning By-law (former Town of Mississauga), is amended by adding the following section:

xxxx. Notwithstanding their "RM5" zoning, the lands delineated as "RM5-xxxx" on Schedule "B" of this By-law shall be used for row dwellings only, in compliance with the following:

- (1) the provisions of sections 21, 44(13)(ia), 44(12), 44(17)(b), 44(17)(k) and 49(2) of this By-law shall not apply;
- (2) the provisions of sections 44(13)(ii) and 49(3)(p) of this By-law shall apply;
- (3) the maximum Gross Floor Area of all buildings and structures shall not exceed 1.16 times the lot area;
- (4) the "Minimum Open Space" shall not be less than 20% of the lot area;
- (5) the maximum number of dwelling units shall be 105;
- (6) notwithstanding Schedule "I" of this section, a covered or uncovered platform or deck above the garage or in the rear yard, including stairs, may project a maximum of 4.0 m beyond the buildable area;
- (7) notwithstanding Schedule "I" of this section, awnings, canopies, chimney breasts, eaves, window projections and architectural features, with or without a foundation, such as, but not limited to, fireplaces, pilasters and corbels, may project a maximum of 0.8 metres beyond the buildable area and planter boxes with foundations may project 2.1 metres beyond the buildable area;
- (8) central air conditioning units shall be permitted on the rear decks of each unit;
- (9) the minimum width of a row dwelling unit shall be 4.26 metres;
- (10) the maximum height of a building or structure shall be 13.6 metres measured to the midpoint of the roof;
- (11) motor vehicle parking facilities shall be provided and maintained on the same lot in accordance with the following schedule:

Type of Building	Minimum Required Parking Spaces per Dwelling Unit	
	Resident	Visitor
Row Dwelling	2.00	0.18

- (12) an attached private garage shall be provided for each unit;
- (13) resident parking may be located in tandem to fulfill the number of parking spaces required by subsection (11) of this section;
- (14) the minimum width of a common element sidewalk shall be 1.2 m;
- (15)
 - (a) all site development plans shall conform to the provisions of Schedule "I" of this section;
 - (b) notwithstanding clause (15)(a) of this section, those matters which would otherwise be matters of site plan approval, such as the location and type of parking spaces, internal driveways, vehicle access points, fencing, hydro meter walls, and landscaping features, and the extent of landscaped areas, shall be determined through the site development plan approval process.

ENACTED and PASSED this ____ day of _____, 2007.

BURNHAMTHORPE ROAD EAST

**R3
to
RM5-XXXX**

**R3
to
R4 (12) - XXXX**

**PAGEHURST
AVENUE**

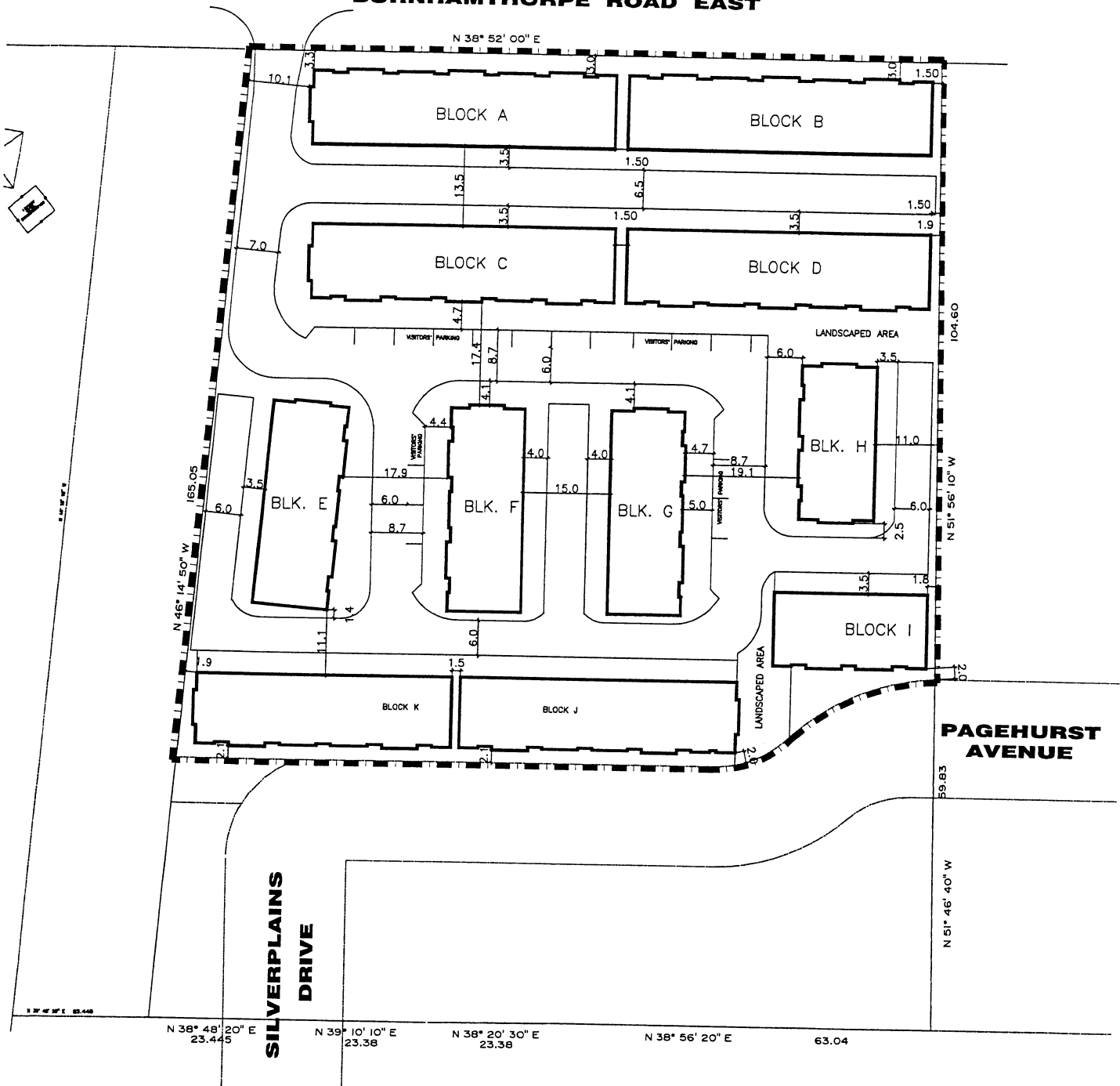
**SILVERPLAINS
DRIVE**



0 10 20 30

THIS IS SCHEDULE "A"
TO BY-LAW NO. _____
PASSED BY COUNCIL ON

BURNHAMTHORPE ROAD EAST



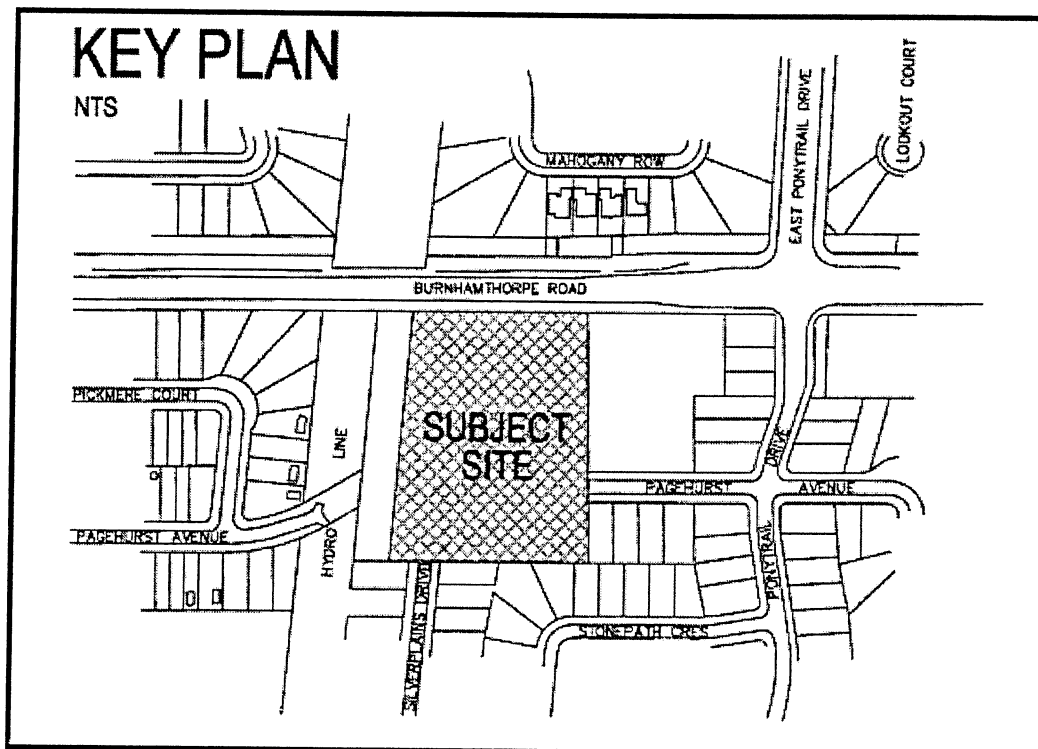
 Buildable Areas

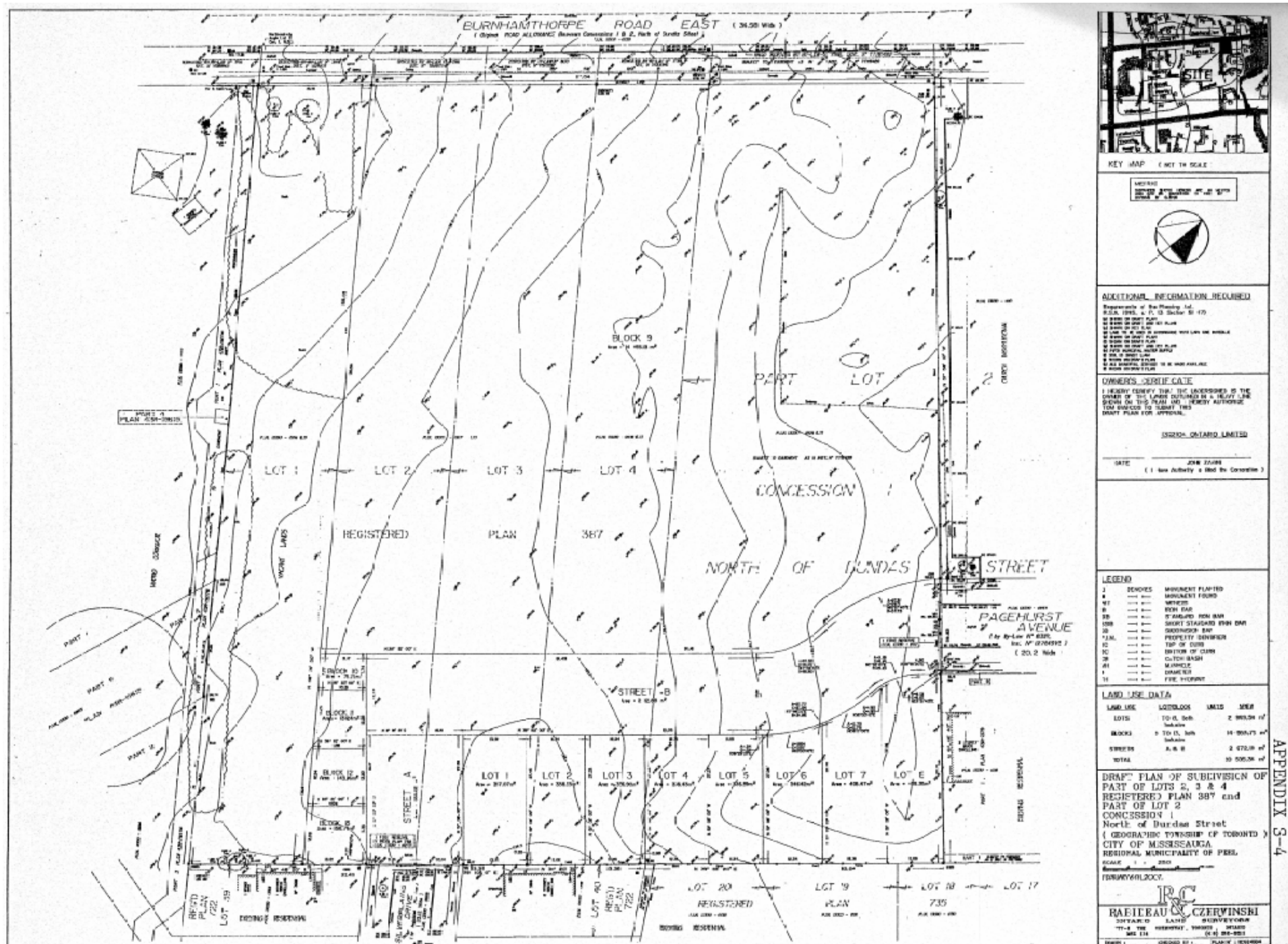
THIS IS SCHEDULE "I" TO
SECTION "____" AS ATTACHED
TO BY-LAW NO. _____
PASSED BY COUNCIL ON

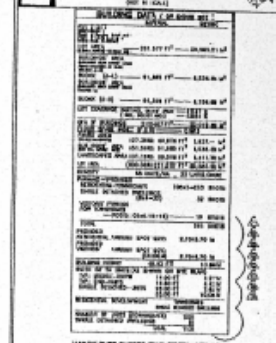
EXPLANATORY NOTE TO PROPOSED PLAN OF SUBDIVISION

The proposed plan of subdivision applies to lands located on the south side of Burnhamthorpe Road East, west of Ponytrail Drive, in the City of Mississauga. The lands are legally described as Part of Lot 2, Concession 1, North of Dundas Street and Part of Lots 2, 3 and 4, Registered Plan 387, and in the year 2007, are known municipally as 1820, 1826, 1836, and 1850 Burnhamthorpe Road East.

The proposed plan of subdivision would create 8 detached lots and 3 part lots for future detached dwellings with frontages of approximately 12 metres fronting on the extensions of Pagehurst Avenue and Silverplains Drive, together with a block of 1.46 hectares located between the Pagehurst Avenue extension and Burnhamthorpe Road East, which is intended to be developed for 105 condominium townhouse units. In addition, a public access block will be provided at the end of Pagehurst Avenue to provide access to the Hydro lands to the west.





[illegible]

443	NEWS-ONE	DATE
CONTINUE TO SPILL CHECK AND VERIFY ALL DISCREPANCIES IN OF DESIGN INC. BEFORE PROCEEDING WITH THE ROAD DO NOT BOLT THE SPINDLE		

PROJECT PROPOSED
100-UNIT TOWNHOMES
8-UNIT SINGLE DETACHED DWELLINGS
1870, 1824, 1826, 1880 BURLINGTON RD.

9042 1300

DRAWING TITLE

SITE PLAN

[illegible]

COMPAN DEVELOPMENTS INC.

OF DESIGN INC.

FAX/MAIL BY 10 P 10/10/2001	10/10/2001 10:10 AM 10/10/2001 10:10 AM
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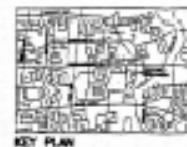
PROJECT #	10	PROJECT #	1008-13
DATE	JULY 18/2000	CHARGE #	
COUNT		NO. 1-1-1	A-1



OP DESIGN INC.

CONCEPTUAL SITE PLAN

RADIAL INVESTMENTS LIMITED
PART OF LOT 1, REGISTERED PLAN 387
CITY OF MISSISSAUGA



KEY PLAY

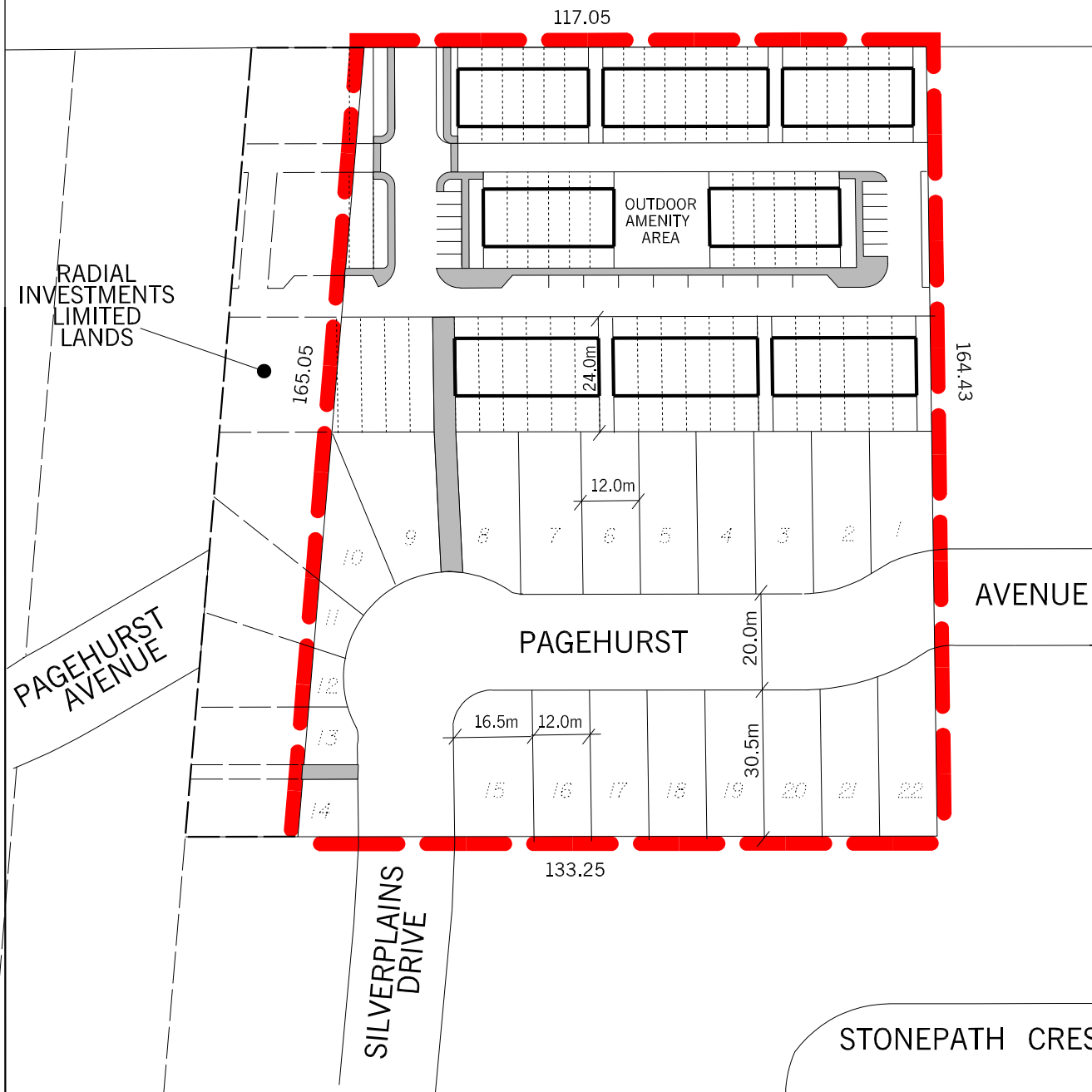
CONCEPTUAL SITE PLAN STATISTICS

[illegible]

1,350

PROJECT No. P-1662 FEB. 16, 2007
DWG. No. -07:01
KLM PLANNING PARTNERS INC.
URBAN PLANNING AND DEVELOPMENT CONSULTANTS
300 WEST 10TH ST. SUITE 200 CHICAGO, ILL. 60605
TEL: 312.467.1000 FAX: 312.467.1001

BURNHAMTHORPE ROAD EAST



ALTERNATIVE CONCEPTUAL DESIGN

- 50 TOWNHOUSE DWELLINGS
- 5 FUTURE TOWNHOUSE DWELLINGS
- 17 DETACHED DWELLINGS
- 5 FUTURE DETACHED DWELLINGS



FILE NO:
OZ 05042 W3
T-M05010 W3

DRAWING NO:
05042S7.DGN

DRAWN BY:
K. PROKOP



MISSISSAUGA
Planning and Building

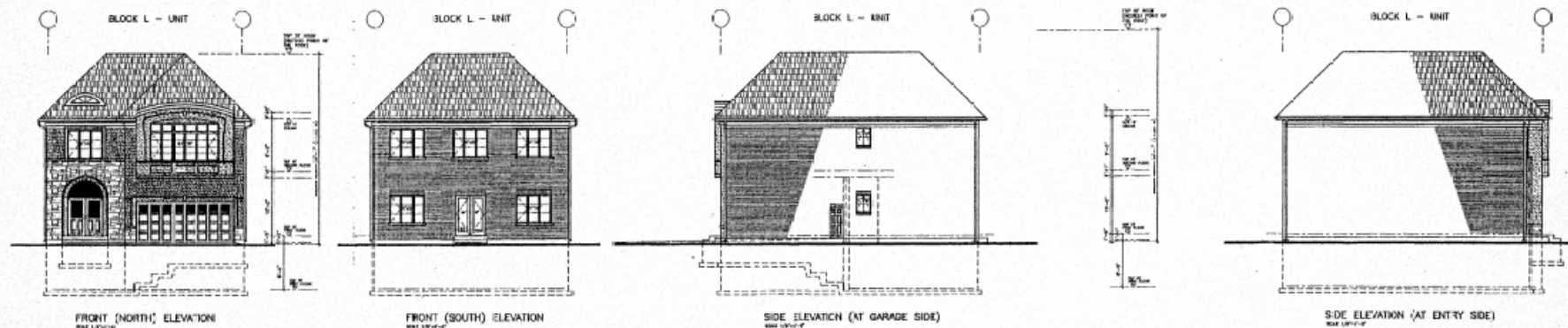


TYP. REAR ELEVATION



FRONT (NORTH) ELEVATION

<p>1. REVIEW FOR TOWNHOUSE APPROVAL 2. REVIEW FOR TOWNHOUSE APPROVAL 3. REVIEW FOR TOWNHOUSE APPROVAL 4. REVIEW FOR TOWNHOUSE APPROVAL 5. REVIEW FOR TOWNHOUSE APPROVAL 6. REVIEW FOR TOWNHOUSE APPROVAL 7. REVIEW FOR TOWNHOUSE APPROVAL 8. REVIEW FOR TOWNHOUSE APPROVAL 9. REVIEW FOR TOWNHOUSE APPROVAL 10. REVIEW FOR TOWNHOUSE APPROVAL</p>		<p>DATE: 11/11/2010 BY: [Signature] TITLE: [Title]</p>
<p>REMARKS: [Remarks]</p>		
<p>PROJECT: PROPOSED 100-UNIT TOWNHOUSES 8-UNIT SINGLE DETACHED ONE-LANDS 100-UNIT TOWNHOUSES</p>		
<p>SCALE: 1/8"=1'-0"</p>		
<p>DRAWING TITLE: TYPICAL FRONT AND REAR ELEVATIONS OF TOWNHOUSES</p>		
<p>DESIGNED BY: [Name] CHECKED BY: [Name] DATE: [Date]</p>		
<p>PROJECT NO: 100-UNIT TOWNHOUSES 8-UNIT SINGLE DETACHED ONE-LANDS 100-UNIT TOWNHOUSES</p>		<p>PROJECT NO: 100-UNIT TOWNHOUSES 8-UNIT SINGLE DETACHED ONE-LANDS 100-UNIT TOWNHOUSES</p>
<p>DATE: 11/11/2010 BY: [Signature] TITLE: [Title]</p>		<p>DATE: 11/11/2010 BY: [Signature] TITLE: [Title]</p>



REVISIONS	
NO.	DESCRIPTION
1	REVISION 1.00
2	REVISION 2.00
3	REVISION 3.00
4	REVISION 4.00
5	REVISION 5.00
6	REVISION 6.00
7	REVISION 7.00
8	REVISION 8.00
9	REVISION 9.00
10	REVISION 10.00
CONTRACTOR SHALL OBTAIN AND VERIFY ALL NECESSARY PERMITS AND APPROVALS AND RETURN ANY CORRECTIONS TO THE ARCHITECT FOR REVIEW AND APPROVAL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.	
NO.	REVISIONS
DATE	

PROJECT PROPOSED


100-UNIT TOWNHOMES
8-UNIT SINGLE DETACHED BUNGALOWS

100% 100% 100% 100% 100% 100% 100% 100% 100% 100%

SCALE 1/8"=1'-0"

GENERAL NOTE

36,000- L. GARDEN DISTRICTS PHASE 1&2
TYPICAL FRONT-YARD-20'0" SLAB-WALKWAY



DUNLAP DEVELOPMENT INC.
13121244 ONTARIO INC.)

OF DESIGN INC.

FOR INFORMATION ONLY
1. PROJECT NO. 2005-73
2. SHEET NO. 2005-73
3. DATE 11/1/05

PREPARED BY G P
CHECKED BY T S
DATE 05/11/2005
SHEET 03