Clerk's Files



Originator's Files OZ 06/032 W3 T-M06007 W3

DATE:	May 24, 2007 Chair and Members of Planning and Development Committee Meeting Date: June 11, 2007 Edward R. Sajecki Commissioner of Planning and Building			
TO:				
FROM:				
SUBJECT:	Information Report Official Plan Amendment, Rezoning and Draft Plan of Subdivision Applications To permit 3 detached dwellings, and 22 townhouse dwellings under standard condominium tenure 1810 Burnhamthorpe Road East Part of Lot 1, Registered Plan 387 South side of Burnhamthorpe Road East, west of Ponytrail Drive Owner: Radial Investments Limited Applicant: M. Yarranton, KLM Planning Partners Inc. Bill 20			
	Public Meeting Ward 3			
RECOMMENDATION:	That the Report dated May 22, 2007, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan for a portion of the lands from "Residential - Low Density I" to "Residential - Medium Density I-Special Site" and to change the Zoning from "R3" (Detached Residential) to "R4(12)- Special Section" (Detached Residential) and "RM5-Special Section" (Multiple Residential), in addition to a Draft Plan of Subdivision, to permit 22 townhouses, and 3 detached dwellings in combination with lands to the immediate east, under file OZ 06/032 W3 and T-M06007 W3, Radial Investments Limited,			

1810 Burnhamthorpe Road East, Part of Lot 1, Registered Plan 387, be received for information.

**BACKGROUND:** Official Plan Amendment, Rezoning and Draft Plan of Subdivision applications have been circulated for technical comments and preliminary comments have been received from the community. The purpose of this report is to provide preliminary information on the above-noted applications and to seek comments from the community.

**COMMENTS:** The landowner is proposing 22 townhouse dwellings under a standard condominium tenure, and 3 detached dwellings in combination with lands to the immediate west under the ownership of Dunpar Development Inc. Access and servicing for the lands is proposed to be coordinated through the Dunpar development (see Appendix I-6). Details of the proposal are as follows:

Development Proposal				
Applications				
submitted:	December 22, 2006			
Number of				
Units:	Townhouse Dwellings: 22			
	Detached Dwellings: 3 part lots, to be			
	combined with Dunpar Development			
	Inc. lands to the east			
Height:	13.6 m (44.6 ft.), being approximately			
	3-4 storeys			
Lot Coverage:	40.3% (excludes rear yard decks)			
Floor Space				
Index:	1.48 (for the entire development)			
Gross Density:	Townhouses: 73.3 uph (29.6 upa)			
	Detached Dwellings: 17.4 uph (7.0 upa)			
	Combined: 60.9 uph (24.6 upa)			
Landscaped				
Area:	34% (townhouse development)			

Development Pr	Development Proposal			
Anticipated				
Population:	Townhouses: 65 people *			
	Detached Dwellings: 5 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:	50 spaces			
Parking				
Provided:	50 spaces			
Supporting				
Documents:	- Planning Justification Report			
	- Phase I Environmental Site Assessment			

Site Characteristics				
Frontage:	23.4 m (76.7 ft.)			
Depth:	165.1 m (542 ft.)			
Net Lot Area:	0.38 ha (0.94 ac.)			
Existing Use:	All lands are presently vacant			

Additional information is provided in Appendices I-1 to I-10.

### **Neighbourhood Context**

The subject property is located on the south side of Burnhamthorpe Road East, west of Ponytrail Drive, adjacent to lands to the east assembled by Dunpar Developments Inc. and subject to applications for townhouses and detached dwellings (see Page 7 of this report for details). The lands 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). Silverplains Road terminates to the southeast of the subject lands. Information regarding the history of the site is found in Appendix I-1.

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The surrounding land uses are described as follows:

North:	Across Burnhamthorpe Road East, detached dwellings.		
East:	Dunpar Developments Inc. lands, with detached dwellings		
	having minimum lot frontages of 15 m (49.2 ft.) fronting		
	Pagehurst Avenue, and Saints Martha and Mary Catholic		
	Church, beyond.		
South:	Detached dwellings having minimum lot frontages of		
	15 m (49.2 ft.) fronting Silverplains Drive.		
West:	Hydro One power transmission corridor with detached		
	dwellings beyond facing Pickmere Crescent beyond.		

### **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. 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 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 I - Special Site" for the northern portion of the lands, to permit a maximum of 22 townhouse dwellings (being at a density of 73.3 units per hectare or 29.6 units per acre). The maximum permitted density under the "Residential - Medium Density I" designation is 50 units per hectare (20 units per acre). No change is proposed for the southern portion of the lands, proposed to accommodate the detached dwellings.

### **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**

"R4(12)" (Detached Residential) to permit detached dwellings and "RM5-Special Section" (Multiple Residential) to permit townhouse dwellings, under a standard condominium tenure. Details on exceptions requested to the base zoning by the applicant are contained in Appendix I-8.

### Draft Mississauga Zoning By-law

A report on the new draft Zoning By-law was received at the Planning and Development Committee on April 30, 2007. A further addendum report was adopted by Council on May 23, 2007, with the exception of the Harris Farm. The implementing by-law is anticipated to be passed by Council on June 20, 2007.

The draft 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 Bylaw.

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

The Draft Plan of Subdivision as filed on November 28, 2005, divides the lands into one large block for the townhouses and three part lots, to be combined with the Dunpar Developments Inc. lands to the east for detached dwellings.

### **COMMUNITY ISSUES**

A community open house was held by Ward 3, Councillor Prentice on April 25, 2007. The following is a summary of issues raised by the Community:

### Comments

• 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 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;
- Concern regarding how development on the lands will be coordinated with the neighbouring Dunpar Developments Inc. proposal;
- 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.

### **DEVELOPMENT ISSUES**

Agency comments are summarized in Appendix I-7 and school accommodation information is contained in Appendix I-8. Based on the comments received and the applicable Mississauga Plan policies the following matters will have to be addressed:

- Conformity with standard 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;
- Development coordination with the Dunpar lands;
- Submission of acceptable noise, functional servicing and environmental reports;
- Provision of on-site servicing including utilities and waste management.

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#### **OTHER INFORMATION**

#### **Dunpar Developments Inc. Applications**

Lands to the east of the subject lands are under application by Dunpar Developments Inc. to permit the construction of 105 townhouses, 8 detached lots, and 3 part lots to be combined with the subject lands. The two owners have worked to coordinate matters respecting development form, access and servicing. A Supplementary Report regarding the Dunpar applications was considered by the Planning and Development Committee on April 30, 2007, which recommended that they be refused on the basis that the proposal is incompatible with the surrounding community and the zoning standards requested are inappropriate. A full Ontario Municipal Board hearing is scheduled for August 20, 2007.

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

#### **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.

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CONCLUSION:	Most agency and City department comments have been received and 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 - Aerial Photograph Appendix I-3 - Excerpt of Applewood District Land Use Map Appendix I-4 - Excerpt of Existing Land Use Map Appendix I-5 - Draft Plan of Subdivision Appendix I-6 - Concept Plan Appendix I-7 - Agency Comments Appendix I-8 - School Accommodation Appendix I-9 - Detail Zoning Provisions Appendix I-10 - General Context Map

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Edward R. Sajecki Commissioner of Planning and Building

Prepared By: Rob Hughes, Development Planner

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Planning and Development Committee

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### **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.







### DRAFT PLAN OF SUBDIVSION

APPENDIX I-5



### CONCEPT PLAN

**APPENDIX I-6** 



## **Radial Investments Limited**

## Files: OZ 06/032 W3 and T-M06007 W3

### **Agency Comments**

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

Agency / Comment Date	Comment
Hydro One Networks Inc. (March 22, 2007)	This agency has no objection to the applications in principle, subject to the incorporation of conditions of draft plan approval, as identified in the comments.
Region of Peel (April 26, 2007)	Regional staff have no objection to the approval of the development. Municipal sanitary sewer facilities consist of a 250 mm (1.0 in) diameter sanitary sewer located on Pagehurst Avenue and Silverplains Drive. Municipal water facilities consist of a 200 mm (0.75 in) diameter watermain located on Pagehurst Avenue and Silverplains Drive, and a 150 mm (0.6 in) diameter watermain on Burnhamthorpe Road East. Site servicing will also require looping of 200 mm (0.75 in) and 150 mm (0.6 in) diameter watermains between Pagehurst Avenue, Silverplains Drive and Burnhamthorpe Road East. The subject lands are not located within the vicinity of a landfill. The applicant will be required to accommodate the Region's waste collection design standards, as identified in the comments. A complete list of Regional conditions of draft plan approval are listed within their comments.
Dufferin-Peel Catholic District School Board and the Peel District School Board (April 26, 2007 and April 5, 2007)	The Peel District School Board and the Dufferin-Peel Catholic District School Board responded that they are satisfied with the current provision of educational facilities for the catchment area and, as such, the school accommodation condition as required by City of Mississauga Council Resolution 152-98 pertaining to satisfactory arrangements regarding the adequate provision and distribution of educational facilities need not be applied for these development applications. 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.

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Agency / Comment Date	Comment	
Agency / Comment Date City Community Services Department – Planning, Development and Business Services Division (April 9, 2007)	<ul> <li>This Department indicated that the park serving the propose residential development is Forest Glen Park located at</li> <li>Fieldgate Drive, north of Ponytrail Drive, and is approximat 305 m (1,000 ft.) measured in a direct line 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.</li> <li>In view of the foregoing, if approved and prior to the issuan of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to the <i>Planning A</i> and in accordance with City Policies and By-laws. Paymen for street tree planting on Burnhamthorpe Road East will als be required.</li> <li>Furthermore, in order to improve community accessibility a linkages for pedestrians and cyclists, a public pedestrian easement will be required to connect with a future easement be located upon the abutting lands to the east, extending to Silverplains Drive; such an easement would provide a continuous connection between Silverplains Drive and the Hydro One utility corridor, abutting to the west. It should b noted that a future multi-use recreational trail has been identified as a long term potential secondary land use, as</li> </ul>	
	noted that a future multi-use recreational trail has been identified as a long term potential secondary land use, as outlined in the report titled, <i>City of Mississauga Submission to</i> <i>the Provincial Secondary Land Use Program for Hydro</i> <i>Corridors (May 2005)</i> ; if a future trail is approved, the terms and conditions would be outlined in a license agreement to be	
City Community Services Department – Fire and Emergency Services Division (April 26, 2007)	executed between the City and Hydro One. This proposal is located within the response area of Fire Station 106 . At present average travel times to emergencies in this area of the City is 3.0 minutes based on normal traffic and weather conditions. Flow test data from the existing water supply system indicates the potential for an adequate supply of water for fire protection purposes.	

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Agency / Comment Date	Comment
City Transportation and Works Department (May 4, 2007)	Prior to the preparation of a Supplementary Report, the applicant will be required to submit a supporting Noise Feasibility Study, a Functional Servicing Report and a Phase II Environmental Site Assessment (ESA). Additional comments will be provided pending the receipt and review of these updated reports.
	In addition, the draft plan of subdivision is to be revised to illustrate a 0.3 m (1.0 ft.) reserve along the site's Burnhamthorpe Road East frontage. Furthermore, the supporting conceptual site plan is to be revised such that all internal roads and services meet the City's minimum condominium standards.
Other City Departments and External Agencies	It was also indicated that the feasibility of this development proposal is dependent upon the satisfactory arrangements being established with the adjacent owner to the immediate east (T-M05010 W3, Dunpar Developments Inc.) for both access and servicing. Accordingly, the applicant is to provide written confirmation from Dunpar Developments Inc. that satisfactory arrangements have been made for access, servicing and the provision of the necessary easements. The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner:
	<ul> <li>Bell Canada</li> <li>Canada Post</li> <li>City Development Services</li> <li>City Economic Development</li> <li>Enersource Hydro Mississauga</li> <li>Greater Toronto Airports Authority</li> </ul>

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Agency / Comment Date	Comment			
	The following City Departments and external agencies were			
	circulated the applications but provided no comments:			
	- City Realty Services			
	- Conseil Scolaire de District Catholique Centre-Sud			
	- Conseil Scolaire de District Centre-Sud-Ouest			
	- Enbridge Gas Distribution Inc.			
	- Rogers Cable			

# **Radial Investments Limited**

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### **School Accommodation**

The Peel District School Board		The Dufferin-Peel Catholic District School Board					
•	Student Yie	eld:		•	• Student Yield:		
	4 2 3	Kindergarten to Grade 6 to Grad Grade 9 to Grad	e 8		6 2	Junior Kinderg Grade 9 to Gra	garten to Grade 8 ade 12/OAC
•	School Acc	commodation:		•	School Acc	ommodation:	
	Forest Glen	Public School			St. Alfred E	Elementary Scho	ool
	Enrolment: Capacity: Portables:		543 491 3		Enrolment: Capacity: Portables:		485 436 6
	Glenhaven Senior Public School			Philip Pocock Secondary School			
	Enrolment: Capacity: Portables: Glenforest Enrolment: Capacity:	Secondary Schoo	511 545 1 1 1,314 1,023		Enrolment: Capacity: Portables:		1,384 1,257 5
E c	ducation rate	ty reflects the Mir ed capacity, not th lting in the requir	ne Board rated				

### THE COPORATION 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 24 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:

- 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 1, Registered Plan 387, in the City of Mississauga, PROVIDED HOWEVER THAT the "RM5-xxxx" and "R4(12)-yyyy" zoning shall only apply to the lands which are shown on the attached Schedule "A".
- 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 "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), 49(2), 49(3)(h) and 49(3)(k) of this By-law shall not apply;
    - (2) no lot shall require frontage on a public street;
    - (3) notwithstanding Schedule "T" 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 4.0m beyond the buildable area;
    - (4) notwithstanding Schedule "I" of this section, awnings, canopies, chimneys 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;
    - (5) central air conditioning units shall be permitted on the rear decks of each unit;
    - (6) the minimum width of a row dwelling unit shall be 4.2 metres;
    - (7) the maximum height of a building or structure shall be 13.6 metres measured to the midpoint of the roof;



(8) motor vehicle parking facilities shall be provided and maintained on the same lot in accordance with the following schedule:

Building Type	Minimum Required Parking Spaces per Dwelling Unit		
	Resident	Visitor	
Row Dwelling 2.00		0.25	

- (9) an attached private garage shall be provided for each unit;
- (10) resident parking may be located in tandem to fulfill the number of parking spaces required by subsection (9) of this section;
- (11)
  - (a) all buildings shall be located within the "Buildable Area" shown on Schedule "I" of this section;
  - (b) notwithstanding clause (13)(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.
- 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:
  - yyyy. Notwithstanding their "R4(12)" zoning to the contrary, the lands delineated as "R4(12)-yyyy" on Schedule "B" of this By-law shall be used for one-family detached dwellings only, in compliance with the following:
    - (1) The maximum building height shall be 11 metres measured to the midpoint of the roof.

ENACTED and PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.





