Clerk's Files



Originator's Files OZ 06/017 W8 T-M07004 W8

DATE:	September 11, 2007	
TO:	Chair and Members of Planning and Development Committee Meeting Date: October 1, 2007	
FROM:	Edward R. Sajecki Commissioner of Planning and Building	
SUBJECT:	Information Report Official Plan Amendment, Rezoning and Draft Plan of Subdivision Applications To permit 56 townhouses on a private road under common element condominium tenure 4390 Mississauga Road West side of Mississauga Road, south of Badminton Drive Owner: Alison and Walter Dicks Applicant: Dunpar Developments Inc. Bill 20 - Official Plan Amendment and Rezoning Bill 51 - Draft Plan of Subdivision	
	Public Meeting Wa	ard 8
<b>RECOMMENDATION:</b>	That the Report dated September 11, 2007, from the Commiss of Planning and Building regarding the applications to amend Official Plan from "Residential - Low Density I" to "Resident Medium Density I-Special Site", to change the Zoning from "RS" (Detached Dwellings) to "RM5-Special Section" (Townhouse Dwellings) and a Draft Plan of Subdivision, to per 56 townhouse dwellings under common element condominium	the ial – ermit

information.

tenure, under Files OZ 06/017 W8 and T-M07004 W8, Dunpar Developments Inc., 4390 Mississauga Road, be received for

**BACKGROUND:** The above-noted applications were received on August 9, 2006 to permit 73 townhouse dwellings under common element condominium tenure. On June 5, 2007, the applications were revised and a new Draft Plan of Subdivision application was submitted to permit 56 townhouse dwellings. On June 15, 2007, 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. On July 10, 2007 the applicant also appealed the new Mississauga Zoning By-law 0225-2007 on a sitespecific basis. The purpose of this report is to provide preliminary information on the applications and to seek comments from the community. Details of the proposal that has been referred to the OMB are as **COMMENTS:** follows:

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Development Proposal		
Applications	Official Plan Amendment and Rezoning	
submitted:	submitted on August 9, 2006	
	Draft Plan of Subdivision application submitted	
	on June 5, 2007	
Applications	Official Plan Amendment submitted on June 5,	
revised:	2007 and draft Zoning	
	By-law on July 18, 2007	
Number of	56 townhouse dwellings	
Units		
Height:	12.4 m (40.7 ft.) equivalent to 3.5 storeys	
Lot	39.3%	
Coverage:		
Floor Space	0.95 times the net lot area	
Index:		
Landscaped	30%	
Area:		
Net Density:	48.5 units/ha based on net lot area <sup>1</sup>	
	19.6 units/acre based on net lot area <sup>1</sup>	

Developme	Development Proposal		
Anticipated	168*		
Population:	*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	112 spaces for resident parking based on 2.0		
Required:	spaces per unit		
	14 spaces for visitor parking based on 0.25 spaces		
	per unit		
	3 spaces for recreational vehicle parking based on		
	0.05 spaces per unit		
	Total parking required is 129 spaces		
Parking	112 spaces for resident parking		
Provided:	14 spaces for visitor parking		
	0 spaces for recreational vehicle parking		
	Total parking provided is 126 spaces		
Supporting	Report on Geotechnical Investigation		
Documents <sup>2</sup>	Slope Stability Report		
	Tree Preservation Report		
	Traffic Impact Assessment		
	Planning Rationale Report		
	Noise Control Feasibility Study		
	Phase 1 Environmental Site Assessment		
	Environmental Impact Study Issues Summary		
	Environmental Impact Study		

- <sup>1</sup> Net lot area excludes 515.5 m<sup>2</sup> (5,549 ft<sup>2</sup>) of conservation lands
- 2 Additional reports and report revisions have been requested from the Applicant by the City and Credit Valley Conservation as outlined in the Development Issues section of this Information Report

Site Characteristics	
Frontage:	62.14 m (203.87 ft.)
Depth:	200.54 m (657.94 ft.)
Gross Lot Area:	1.23 ha (3.03 ac.)
Net Lot Area	1.16 ha (2.86 ac.)
Existing Use	Detached dwelling

Additional information is provided in Appendices I-1 to I-14.

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### **Neighbourhood Context**

The subject property is located on the west side of Mississauga Road, north of Highway 403 and south of Badminton Drive. Mullet Creek valley forms the western boundary of the subject property. The open space, vegetation and generous front yard setbacks contribute to the classification of Mississauga Road as one of the two Scenic Routes in the City.

The lands have been used for agricultural purposes in the past including honey production. Remnants of past agricultural uses are evident including several outbuildings. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are as follows:

North:	Legal non-conforming garden centre and detached dwelling. An established neighbourhood of detached dwellings is located further north.
East:	Pinchin Farm and Leslie Log House designated under the Ontario Heritage Act and identified as City Park P-462.
South:	Seniors long term care facility in a 3 storey building.
West:	Mullet Creek valley identified as City Park P-269, Woodland Chase Trail.

## Current Mississauga Plan Designation and Policies for the Central Erin Mills District (March 29, 2004)

"**Residential - Low Density I**" which permits detached and semidetached dwellings to a maximum density of 17 units per net residential hectare (6.9 units per net acre). The applications to permit townhouse dwellings are not in conformity with the land use designation.

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

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**Residential Policies** 

Mississauga Plan promotes compatible residential intensification through provision of a range of housing choices in terms of type, tenure and price. Innovative housing types and zoning standards are encouraged. Design issues related built form, scale, massing, orientation of parking and the quantity and quality of open space will be priorities in assessing the merits of residential development proposals.

Mississauga Plan notes that under-utilized lands outside the limits of the Urban Growth Centre may be appropriate for compatible residential intensification subject to the Plan's evaluation criteria.

### Urban Design Policies

Innovative urban design and urban form that integrates historic features, natural heritage, community character and streetscape in a complementary manner is promoted. Building and site design are to be compatible with site conditions, the surrounding context, features and surrounding landscape. Adequate outdoor amenity spaces to suit the needs of the residents is to be provided.

### Heritage Policies

Mississauga Plan encourages heritage resources to be evaluated, maintained and integrated into future development proposals in a manner that enhances the heritage resources and makes them focal points for the community. In accordance with Provincial policy, an archaeological assessment is required adjacent to riparian corridors prior to development approval.

The City of Mississauga's *Cultural Landscape Inventory* (April 2005) identifies Mississauga Road and the Mullet Creek valley (a tributary of the Credit River) as cultural landscapes. The subject property is listed on the City's heritage inventory due to its frontage on the Mississauga Road Scenic Route.

Mississauga Road Scenic Route

Mississauga Road is identified as a scenic route in the Official Plan. The identification originated with Council's approval on October 15, 1997, of the *Mississauga Road Scenic Route Study* which provides guidance on assessing development proposals along Mississauga Road. The study identified the scenic route as having a residential character with larger lot and house sizes with generous front and side yard setbacks. Development is to have more of an estate residential character with house designs that fit into the scale and character of the area.

Section 3.15.13 of Mississauga Plan contains specific policies for the designated scenic route in order to maintain the key features that contribute to the scenic value of the street. Some of the relevant policies to be considered in the subject applications include:

- Building massing, design and setback along Mississauga Road should be consistent with buildings on surrounding lots and maintain appropriate hazard and development setbacks related to watercourse and valley corridors;
- existing lot frontages in the range of 15 m (49.2 ft.) to 33 m (108.3 ft.) on residential lands abutting Mississauga Road, as determined through the existing zoning standards, will be retained;
- Tree preservation on private lands that front onto Mississauga Road will be encouraged;
- projecting garages will be discouraged;
- Preservation of existing landscape features will be encouraged.

**Environmental Policies** 

Mississauga Plan's environmental policies promote an ecosystem approach to planning and protection of natural areas and features. A portion of the subject lands form part of the Mullet Creek valley system which is identified as a Natural Area on Schedule 3, Environmental Areas, of Mississauga Plan. Lands not suitable for development adjacent to the valley system are to be dedicated to the City and designated and zoned "Greenbelt". Prior to conveying lands to the municipality, the applicant may be requested to conduct further site evaluation, site cleanup or other management measures. It should be noted that Greenbelt lands will not be accepted as part of the dedication or credited against any cash in lieu of land for park and other public recreational purposes. These Greenbelt lands will also not be included in the calculation of density for building coverage or calculation of landscaped open space.

## Mitigation of Road Noise

Where residential uses are within the proximity of Provincial Highways and major roads, mitigation of road noise may be required. A noise impact feasibility study will recommend measures necessary to meet Provincial guidelines. The applicant will be required to implement the recommended acoustic mitigation measures for the interior of the dwelling, the outdoor living area for the dwelling and the common amenity space. Criteria for Site Specific Official Plan Amendments

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

- the proposal would not adversely impact or destabilize the following: the overall intent, goals and objectives of the Official Plan; and the development and functioning of the remaining lands which have the same designation, or neighbouring lands;
- the 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.

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The Ontario Municipal Board approved Official Plan Amendment 25 with the exception of site specific appeals. The appeals do not impact the current applications for the subject property.

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

**"Residential – Medium Density I"** which permits detached, semidetached, townhouse dwellings or any combination of these dwelling units, within a density range of 27-57 units per net residential hectare (10.9 to 23 units per net acre). All forms of horizontal dwellings will also be permitted within this density range.

The revised Official Plan Amendment (Appendix I-5) submitted by the applicant on June 5, 2007 has requested a Special Site Policy to be included in the Central Erin Mills District policies to permit a maximum density of 50 units per hectare (20.2 units per acre). Since the density is within the permitted range of the "Residential -Medium Density I" designation, a Special Site Policy may not be required.

Planning staff have asked the applicant to clarify why the proposed environmental dedication block illustrated on the draft plan of subdivision is proposed to be designated "Residential - Medium Density I". These lands will be required to be dedicated to the City and the preferred land use designation is "Greenbelt."

## **Existing Zoning**

**"RS" (Detached Dwellings)**, which permits detached dwellings having a minimum lot frontage of 30 m (98.4 ft.). Other rural uses such as agricultural, golf course, veterinary establishment, physician's office in their primary residence, community uses and tutoring.

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

**"RM5-Special Section" (Townhouse Dwellings)**, to permit 56 townhouse dwellings under common element condominium tenure.

On March 26, 2003, Council endorsed guidelines including definitions, regulations and requirements as the basis for the preparation of all site specific rezoning applications for common element condominiums. These standards have been implemented into the new City of Mississauga By-law 0225-2007.

A chart highlighting the applicant's request in relation to the Council endorsed guidelines is attached in Appendix I-6. The applicant's draft zoning by-law is also attached highlighting a number of additional exceptions to By-law 5500.

A concept plan illustrating the common element condominium townhouse proposal (Appendix I-7) and typical elevations (Appendix I-8) have been attached. The resident parking is accessed by rear laneways. Tandem interior parking spaces for two vehicles is provided in each garage.

The applicant has been asked to clarify his request to zone the environmental dedication block "RM5-Special Section". These lands will be required to be dedicated to the City and zoned "G" (Greenbelt).

### By-law 0225-2007 (Under Site-Specific Appeal)

The Zoning for this property under By-law 0225-2007 is "D" (Development). This zone is currently under appeal by the applicant in order to ensure that any site-specific amendments proposed on the subject lands under By-law 5500 will be recognized under By-law 0225-2007.

Should these applications be approved, the "RM6" (Townhouse Dwellings on a Private CEC Road) zone would be required to be amended to reflect the site specific provisions sought through these applications. The "G1" (Greenbelt) zone would apply to the lands dedicated to the City for conservation purposes.

The timing of the site-specific Zoning By-law to permit the proposed development may be affected by the timing of the resolutions of the appeals to By-law 0225-2007. A recommendation will be included in the supplementary report to address this issue.

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

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The draft plan of subdivision filed on June 5, 2007, divides the lands into four blocks as illustrated in Appendices I-9a and 9b:

- Block 1 is intended for the future townhouse development;
- Block 2 is the 0.3m (1.0 ft.) reserve along the frontage;
- Block 3 is a 3.08 m (10.1 ft.) road widening;
- Block 4 is the proposed conservation lands to be dedicated to the City have an area of 515.5 m<sup>2</sup> (5,549 sq. ft).

The concept plan (Appendix I-7) submitted in support of the applications does not include any reference to the conservation lands (Block 4). The applicant has recently submission an Environmental Impact Study and updated Tree Preservation Report. The City and Credit Valley Conservation (CVC) are currently evaluating these reports to determine the appropriate limits of Blocks 1 and 4.

### **Future Draft Plan of Condominium**

If the applications are approved, a future Draft Plan of Condominium will be required to identify the common elements and the freehold components referred to as parcels of tied land (POTL).

### **COMMUNITY ISSUES**

A community meeting was held by Ward 8 Councillor Katie Mahoney on October 18, 2006 to consider the original proposal for 73 townhouses. A community focus group was subsequently formed. Additional meetings of the focus group were held on November 22, 2006, November 28, 2006, September 5, 2007 and September 10, 2007. The applicant and staff were invited to two of the meetings. The following is a summary of issues raised by the community:

### Comments

- The residents purchased their homes with the expectation that future development would be based on the existing "Residential - Low Density I" land use designation and zoning for detached dwellings. Residents were concerned with reduced property values and diminished quality of life.
- The proposal does not meet the objective of preserving and enhancing our ecosystem by minimizing impacts to the wildlife, trees and vegetation. Appropriate setbacks are required to the Mullet Creek Valley.
- It does not respect the scenic character of the Mississauga Road and is not compatible with the distinct identity, common design themes, scale and character of the established neighbourhood of detached dwellings.
- There is insufficient on-site visitor parking for the townhouses to accommodate increased demand during common holidays or celebrations which will result in increased visitor parking on local streets. This overflow will reduce visitor parking for residents in the established neighbourhood. A resident is also concerned that child safety may be jeopardized by increased traffic and visitor parking on the local streets. Visitor parking along Mississauga Road would likely occur and could create a traffic hazard.
- The future development of the existing garden centre located to the north of the subject property for townhouses could follow the approval of this plan. Traffic generated from the Dunpar proposal and future development of the garden centre property for residential uses would likely need a driveway entrance to Moorevale Court. This would result in unacceptable traffic impacts on the established neighbourhood.
- Safety of children crossing Mississauga Road to access school buses is a major issue to be addressed.

- Turning movements into the townhouse site from Mississauga Road could pose a safety risk due to poor sight lines and increased traffic congestion.
- Traffic counts should be completed when University of Toronto at Mississauga is in session.
- Waste removal and snow clearing in the proposed townhouse layout would be difficult with the internal road layout that requires service vehicles to perform 3 point turns to reverse direction which increases the risk of an accident.
- Increased emissions from vehicles and households would negatively impact air quality.

### Response

Since the community meetings, the applications have been revised to reduce the number of proposed units from 73 to 56. A new draft plan of subdivision application has also been submitted. These applications are currently under review and it is premature to provide a response to the above comments at this time. An additional community group meeting was held on September 5, 2007 to discuss the revised proposal and updated community comments are anticipated. Following the community group meeting and the formal Public Meeting, the community's concerns will be fully addressed in the Supplementary Report.

### **DEVELOPMENT ISSUES**

Updated City and Agency comments are summarized in Appendix I-10 and school accommodation information is contained in Appendix I-11.

The proposal continues to raise concerns regarding the interface with the adjacent natural area and Mississauga Road Scenic Route. The layout of the townhouse proposal is not consistent with the Council endorsed common element condominium guidelines. The proposed landscape setbacks to the adjacent properties, the natural area and Mississauga Road are not sufficient. The location of the common amenity area within the natural area and the applicant's recommended tree preservation zone is also a concern. The Environmental Impact Study (EIS) was received on August 13, 2007 and is currently under review by the City and Credit Valley Conservation (CVC). The EIS recommends removal of 44% of the Natural Area identified on-site by City and CVC staff, in consultation with the applicant's environmental consultant, illustrated in Appendix I-12.

Acoustic reports submitted to date do not satisfy staff concerns. Acoustic mitigation of roadway noise from Highway 403 has not been appropriately addressed for the dwelling's outdoor living area located on the elevated rear decks. Appendix I-13 illustrates the proposed 2.4 m (7.9 ft.) high acoustic barrier within the natural area and within the applicant's recommended tree preservation zone. The construction of this barrier would result in further tree removal and unacceptable impacts to the root zones for the trees recommended for retention. An updated acoustic report has been requested.

In updated comments provided to the applicant on August 17, 2007, the following outstanding items have been requested to complete the review of the development proposal:

- storm water management plan;
- functional servicing report;
- preliminary grading plan;
- archaeological assessment;
- heritage impact assessment;
- survey illustrating the limits of the natural area and top-ofbank confirmed on-site;
- submission of a tree permit application.

Revisions to previously submitted reports and plans have also been requested of the applicant to address City and CVC comments, as follows:

- tree preservation plan;
- townhouse concept plan;
- draft plan of subdivision drawing;

• traffic impact assessment;

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- revised concept plan for the extension of Moorevale Crescent to reflect changes from previous acceptable concepts attached in Appendix I-1;
- draft Official Plan Amendment and Zoning By-law documents to identify the conservation lands to be designated and zoned "Greenbelt".

Additional comments and updated requirements will be identified following the receipt and review of the above information. Recommendations on the subject applications will be provided in the Supplementary Report.

## **OTHER INFORMATION**

### **Development Requirements**

In conjunction with the proposed development, there are certain other engineering and conservation matters which will require the applicant to enter into the appropriate agreements with the Region of Peel, City and CVC, 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 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 Central Erin Mills District Land Use Map Appendix I-4a - Excerpt of Existing Land Use Map By-law 5500 Appendix I-4b - Excerpt of Existing Land Use Map By-law 0225-2007 Appendix I-5 - Proposed Official Plan Amendment Appendix I-6 - Detailed Zoning Provisions Appendix I-7 - Common Element Condominium Concept Plan Appendix I-8 - Elevations Appendix I-8 - Elevations Appendix I-9a - Draft Plan of Subdivision By-law 5500 Appendix I-9b - Draft Plan of Subdivision By-law 0225-2007 Appendix I-10 - Agency Comments Appendix I-11 - School Accommodation Appendix I-12 - Natural Area Identified On-Site Appendix I-13 - Proposed Acoustic Barrier Appendix I-14a - General Context Map By-law 5500 Appendix I-14b - General Context Map By-law 0225-2007

Edward R. Sajecki Commissioner of Planning and Building

Prepared By: Michael Crechiolo, Development Planner

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# Files: OZ 06/017 W8 and T-M07004 W8

# Site History

Approx. 1954	Lands are vacant and used for agricultural crop production.
Approx. 1966	Residence and barn constructed to accommodate agricultural uses including honey production.
1970	Minister of Municipal Affairs designates the lands for residential purposes (Neighbourhood 1 of the Central Erin Mills Residential District).
1983	City Council approves Central Erin Mills Secondary Plan which designates the subject property as "Residential Low Density I".
1984-1985	Rezoning and Draft Plan of Subdivision to permit residential uses approved for lands to the north and south of the subject property (Files T-82026 and OZ 32/82). The approved draft plan of subdivision included a concept plan for the extension of Moorevale Court as illustrated in Appendix I-1, Page 2.
1989	Official Plan Amendment and Rezoning to permit a retirement home approved south of the subject property (File OZ 44/88). A revised concept plan for the extension of Moorevale Court was provided by the applicant as illustrated Appendix I-1, Page 3.
2000	City Plan designates the subject lands "Residential Low Density I".
2003	Mississauga Plan designates the subject lands "Residential Low Density I".
Aug. 9, 2006	Dunpar Developments Inc. submits Official Plan Amendment and Rezoning applications to permit 73 common element condominium townhouses.
June 5, 2007	Dunpar Developments Inc. submits a revised Official Plan Amendment and Rezoning applications to permit 56 common element condominium townhouses. A new draft plan of subdivision application submitted for the subject lands.
June 15, 2007	<sup>7</sup> Dunpar Developments Inc. appeals the Official Plan Amendment and Rezoning applications to the Ontario Municipal Board.
July 17, 2007	Dunpar Developments Inc. submits revised Draft Zoning By-law.
Aug. 13, 2007	7 Dunpar Developments Inc. submits the Environmental Impact Study.



REGION OF PEEL PLANNING DEPARTMENT



LENGTH OF ROAD - 150 m - 2.0±ha TOTAL AREA FINAL LOT COUNT SUBJECT TO SURVEY

HUGH THOMPSON ASSOCIATES INC.

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### **APPENDIX I-5**



#### Amendment No. XXXX-2007 to the Official (Mississauga) Plan for the City of Mississauga Planning Area

- 1. The Central Erin Mills District Land Use Map is hereby amended by deleting the *Residential Low Density I* designation on the 1.23 hectare (3.03 acre) parcel and replacing it with a *Residential Medium Density I* designation as shown on Schedule 'A' attached hereto.
- 2. The Central Erin Mills District Policies of the Mississauga Plan are hereby amended by adding the following text and map designated Schedule "B" attached hereto, which constitutes Site Specific Policy 4.4.5.7:

#### 4.4.5.7 Site 6

The lands identified as Special Site 6 are located on the west side of Mississauga Road, north of Provincial Highway 403.

Notwithstanding the provisions of the *Residential - Medium Density I* designation, townhouse dwellings will be permitted subject to the following:

a maximum density of 50 units per net residential hectare

## Proposed "RM5-Special Section" Zoning Standards (By-law 5500) Compared to Common Element Condominium Dwelling Zone Regulations Endorsed By City Council

Category	Council Endorsed	Proposed
Category	Guidelines	Zone
Minimum Lot Area-Interior Lot	$115 \text{ m}^2 (1,238 \text{ sq.ft})$	$90 \text{ m}^2$ ( 968.8 sq.ft)
Minimum Lot Area-Corner Lot	$190 \text{ m}^2$ (2,045 sq.ft)	$90 \text{ m}^2$ (968.8 sq.ft)
Minimum Lot Frontage - Interior Lot	5.0 m (16.4 ft.)	5.0 m (16.4 ft.)
Minimum Lot Frontage – Corner Lot	8.3 m (27.2 ft.)	5.0 m (16.4 ft.)
Minimum Dwelling Unit Width Interior Lot	5.0 m (16.4 ft.)	5.0 m (16.4 ft.)
Minimum Dwelling Unit Width Corner Lot	8.3 m (27.2 ft.)	5.0 m (16.4 ft.)
Minimum Front Yard to Dwelling Face	4.5 m (14.8 ft.)	4.5 m (14.8 ft.)
Minimum Front Yard to Garage Face <sup>1</sup>	6.0 m (19.7 ft.)	0.0 m to private lane
Winning in Front Tard to Garage Tace	$0.0 \mathrm{m}(1).7 \mathrm{n.})$	accessing rear garage
Minimum Exterior Side Yard for Dwelling:	4.5 m (14.8 ft.)	0.5m (1.6  ft.)
-Adjacent to a sidewalk	3.3  m (10.8  ft.)	3.3 m (10.8 ft.)
Minimum Interior Side Yard	1.5 m (4.9 ft.)	1.5 m (4.9 ft.)
-Adjacent to a common parking area	3.3  m (10.8  ft.)	Not specified
		0.0 m
-Adjacent to a common amenity area Minimum Rear Yard <sup>1</sup>	1.5  m (4.9  ft.)	
	7.5 m (24.6 ft.)	0.0  m
Maximum Height for Dwelling	10.7 m (35.1 ft.)	12.4 m (40.7 ft.)
Parking and Driveways	0 1 11	2 4 1 1 11
-Minimum spaces per dwelling <sup>1</sup>	2 per dwelling	2 tandem per dwelling
-Minimum visitor spaces	0.25 per dwelling	0.25 per dwelling
-Minimum common recreational vehicle	0.05 spaces per	0 provided
parking spaces	dwelling	x 1 <sup>.</sup> · 1 1 1 ·
-Maximum driveway width <sup>1</sup>	3.8 m (12.5 ft.)	Individual driveways
	D 1	not provided
Private Garage <sup>1</sup>	Required	Provided
Maximum Encroachments	1.5 (1.0.0.)	
-Porches	1.5 m (4.9 ft.)	Not specified
-Front yard/side yard projections	0.6  m (2.0  ft.)/	0.8 m (2.6 ft.) and
	0.3 m (1.0 ft.)	2.1  m (6.9  ft.)  planter
		box
-Rear yard decks	2.5 m (8.2 ft.)	4.0 m (13.1 ft.)
Minimum Width of a Private Road: <sup>1</sup>		
-Road only	7.0 m (22.9 ft.)	6.0  m (19.6  ft.)
-Road with sidewalk	8.2 m (26.9 ft.)	8.2 m (26.9 ft.)
-Road with parallel common visitor parking	6.0 m (19.6 sq.ft.)	6.0 m (19.6 sq.ft.)
spaces (no sidewalk)		
-Road with sidewalk and parallel common	7.2 m (23.6 sq.ft.)	7.2 m (23.6 sq.ft.)
visitor parking spaces		

Notes:

<sup>1</sup> The proposal includes rear lanes to access the attached rear garage which will require additional exceptions to the "RM5-Special Section" (Townhouse) zone.

 $^{2}$  The width of common parallel visitor parking spaces shall be in addition to the minimum width of the private road.

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

This amendment applies to lands located on the west side of Mississauga Road, south of Eglinton Avenue West, in the City of Mississauga. The lands are legally described as Lot 18, Registrar's Complied Plan No. 1003, and in the year 2007, are known municipally 4390 Mississauga Road.

The Purpose of the Zoning By-law Amendment is to rezone the lands from an RS zone to a site-specific RM5 zone in order to permit a residential development consisting of 56 row dwellings. The exception would permit a maximum gross floor area of 0.95 times the area of the lot and a minimum open space of 30% of the lot area. The exception would also specify requirements for decks and other projections, building widths, and parking.

The subject lands are currently zoned RS. The RS zoning permits residential uses, including single-family detached dwellings, golf courses, parks, playgrounds and other recreational areas and community centres and certain other institutional and public uses.



# PLANNING & BUILDING

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Strat. Ping & Bus. Services			

# 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 31 of Schedule "B" to By-law Number 5500, as amended, is amended by changing thereon from "RS" to "RM5-xxxx", the zoning of Lot 18, Registrar's Complied Plan No. 1003, known municipally as 4390 Mississauga Road, in the City of Mississauga, PROVIDED HOWEVER THAT the "RM5xxxx" zoning shall only apply to the lands which are shown on the attached "Schedule "A" outlined in the heaviest line with the "RM5-xxxx" zoning indicated thereon.
- 2. By-law Number 5500, as amended, being a City of Mississauga Zoning Bylaw (former Town of Mississauga), is amended by adding the following section:
  - xxxx. Notwithstanding their "RM5" zoning, the lands delineated as "RM5xxxx" on Schedule "A" of this By-law shall be used for row dwellings only in compliance with the following:
    - (1) the provisions of sections 21, 44(12), 44(17)(b), 44(13)(ia), 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 Bylaw shall apply;
    - (3) the maximum number of dwelling units shall be 56;
    - the maximum Gross Floor Area of all buildings and structures shall not exceed 0.95 times lot area;
    - (5) the "Minimum Landscaped Area" shall not be less than 30% of the lot area;
    - the minimum lot area for an interior lot shall be 90 square metres;
    - (7) the minimum lot area for an exterior lot shall be 90 square metres;
    - (8) the minimum width of a dwelling unit shall be 5.0 metres;

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- (9) the minimum lot frontage shall be 5.0 metres;
- (10) the minimum front yard setback shall be 4.5 metres;
- (11) the minimum exterior side yard setback shall be 0.5 metres;
- (12) the minimum exterior side yard setback for a dwelling adjacent to a sidewalk shall be 3.3 metres;
- (13) the minimum exterior side yard setback for a dwelling adjacent to an amenity area shall be 0.0 metres;
- (14) the minimum interior side yard setback shall be 3.5 metres measured from wall to wall;
- (15) the minimum rear yard setback shall be 0.0 metres;
- (16) the maximum height of a building or structure shall be 12.4 metres measured to the midpoint of the roof;
- (17) 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 metres beyond the buildable area;
- (18) 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;
- (19) central air conditioning units shall be permitted on the rear decks of each unit;
- (20) 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	
Danta	Resident	Visitor
Row Dwelling	2.00	0.25

- (21) an attached private garage shall be provided for each unit;
- (22) resident parking may be located in tandem to fulfill the number of parking spaces required by subsection (11) of this section; and,

- (23) the minimum width of a common element sidewalk shall be 1.2 metres;
- (24)
  - (a) all site development plans shall conform to the provisions of Schedule "I" of this section; and,
    - (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.





## COMMON ELEMENT CONDOMINIUM – CONCEPT PLAN 56 TOWNHOUSES PROPOSED



APPENDIX I-8, PAGE 1 OZ 06/017 W8 T-M07004 W8



## ELEVATIONS 5.0m (16.4 ft.) WIDE DWELLINGS

#### APPENDIX I-8, PAGE 2 OZ 06/017 W8 T-M 07004 W8



## ELEVATIONS 5.5m (18ft.) WIDE DWELLINGS

APPENDIX I-8, PAGE 3 OZ 06/017 W8 T-M 07004 W8

## ELEVATIONS







# Files: OZ 06/017 W8 and T-M07004 W8

## **Agency Comments**

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

Agency / Comment Date	Comment
Region of Peel (July 13, 2007)	The lands are adjacent to the Mullet Creek which is identified as a Natural Area Corridor (NAC) of the Greenlands System in Peel and designated as a Natural Area by the Region of Peel Official Plan. NAC's contain important ecological features, forms and/or functions and can play a crucial role in supporting the integrity of Core Areas. Regional Official Plan (ROP) policy 2.3.2.13 directs the area municipality, in consultation with the conservation authority, to protect these natural features. The Region relies on the environmental expertise of the CVC staff for review of development applications located within or adjacent to the Greenlands System in Peel and their potential impacts on the natural environment. Regional Planning request that City staff consider comments from the CVC and incorporate their conditions of approval.
	Policy 2.1.6 of the Provincial Policy Statement (2005) (PPS) states that development and site alterations shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.3, 2.1.4 and 2.1.5 unless the ecological functions of the adjacent lands have been evaluated and it has been demonstrated that there will be no negative impacts on the natural feature or on their ecological functions. In order to demonstrate the environmental sustainability of this proposal, the applicant should submit an EIS satisfactory to the City and CVC. The findings of the EIS could be included in an addendum to the Planning Justification Report which must include relevant environmental policies ROP and PPS. Until a satisfactory EIS and addendum to the Planning Justification Report has been submitted and all environmental concerns have been addressed to the satisfaction of the CVC, we cannot support approval of these applications.
City Community Services Department – Fire and Emergency Services Division (April 17, 2007)	Fire has reviewed the rezoning application from an emergency response perspective and has no concerns. Emergency response time to the site and water supply available are acceptable.

Agency / Comment Date	Comment
Dufferin-Peel Catholic District School Board (July 24, 2007)	The Dufferin-Peel Catholic District School Board indicated that there is no available capacity to accommodate secondary school students generated by these applications. Accordingly, the Board has requested that in the event that the applications are approved, the standard school accommodation condition in accordance with City of Mississauga Resolution 152-98, adopted by Council on May 27, 1998 be applied. Among other things, this condition requires that the development application include the following as a condition of approval: "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." In addition, if approved, the School Board also requires the
	developer to erect and maintain signs at the entrance to the subdivision prior to registration advising prospective purchasers that "students may be accommodated elsewhere on a temporary basis until suitable permanent pupil places, funded by the Government of Ontario, are available."
	The Board requests that the following conditions be incorporated in the conditions of draft approval:
	The applicant shall agree to erect and maintain signs at the entrance to the subdivision prior to registration advising prospective purchasers that "students may be accommodated elsewhere on a temporary basis until suitable permanent pupil places, funded by the Government of Ontario, are available."
	The applicant shall agree to include the following clauses in any agreement of purchase and sale of residential lots until the permanent school for the area has been completed:
	"Whereas, despite the best efforts of the Dufferin Peel Catholic District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that some students may be accommodated in temporary facilities and/or bussed to a school outside of the neighbourhood school."
	"That the purchasers agree that for the purpose of transportation to school, the residents of the subdivision shall agree that children will meet the bus on roads presently in existence or at another place designated by the Board."

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# Dunpar Developments Inc.

Agency / Comment Date	Comment	
Peel District School Board (June 26, 2007)	If approved, the Peel District School Board requires the developer to erect and maintain signs at the entrances to the subdivision which shall advise prospective purchasers that due to present school facilities, some of the children from the subdivision may have to be accommodated in temporary facilities or bussed to schools, according to the Board's Transportation Policy.	
	The Board required the following clause be placed in any agreement of purchase and sale entered into with respect to any lots on this plan, within a period of five years from the date of registration of the subdivision agreement: "Whereas, despite the efforts of the Peel District Board, sufficient accommodation may not be available for all anticipated students in the neighbourhood schools, you are hereby notified that some students may be accommodated in temporary facilities or bussed to schools outside the area, according to the Board's Transportation Policy. You are advised to contact the School Accommodation department of the Peel District School Board to determine the exact schools.	
Credit Valley Conservation (July 27, 2007)	The applicant has partially completed the steps necessary to establish the limits of development across the rear of the subject property by staking the limits of the natural area and top-of-bank and submitting a geotechnical study. The submission of the stormwater management plan is outstanding. Once the limits of development have been established, CVC requires all lands outside the developable area be held in one Block and be zoned "G" (Greenbelt) and dedicated to the City for conservation purposes. The applications are considered premature until the above matters have been addressed. Terms of Reference for the EIS have been approved by the City and CVC. It is anticipated that the findings and recommendations of the EIS will inform further revisions to the materials submitted to date. A survey received on July 20, 2007 identifies the limits of the top-of-bank and natural area. The natural area identified on the survey will be refined to incorporate all trees that are identified as part of the natural area through the EIS. All acoustic barriers, structures, grading and site alteration are to be contained within the established developable area. The limits of development have yet to be determined and comments on the development concept and subdivision application cannot be made at this time.	

Agency / Comment Date	Comment	
City Community Services Department - Planning, Development and Business Services Division (July 25, 2007)	The subject lands are adjacent to City owned greenbelt lands identified as P-269, Woodland Chase Trail. A portion of the site is within a Natural Area, as identified in Mississauga Plan. The applicant was informed of the Natural Area at the preliminary ( <u>DARC</u> ) meeting held on March 15, 2006, and also through subsequent correspondence from the Planning and Building Department. As requested through the DARC meeting and through comments of the application, an Environmental Impact Statement was to be submitted for review.	
	The subject property is located within 300 m (984 ft.) of a watercourse which provides a very high potential for archaeological resources on these lands. In accordance with Section 3.17.5.1(d) of Mississauga Plan, an archaeological assessment of the subject property is required. No grading or other soil disturbances shall take place on the subject property prior to the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements. The subject property is also listed on the City's Heritage Register. In accordance with Mississauga Plan policies, the applicant is required to submit a Heritage Impact Statement for approval. The site is located approximately 700 m (2,297 ft.) to P-268, Woodland Chase. This community park contains a play site and two soccer fields. The City also owns the lands opposite this side on the east side of Mississauga Road, formally the Pinchin Farm, which will be developed for park purposes. As per City policies, the applicant is proposal.	
	Should this application be approved, this Department would like to note all lands below the established top of bank; regional flood line; slope hazard line; or lands within the Natural Area, whichever is greater, shall be deeded gratuitously to the City in a satisfactory condition, and zoned and designated as greenbelt. A detailed grading plan for this Department's review and approval is required. Hoarding, fencing and greenbelt securities will also be required to ensure protection of greenbelt lands. Further, should this application be approved, a payment for street trees and trail signs is required. Cash-in-lieu of parkland dedication will be required prior to the issuance of the building permits.	

Agency / Comment Date	ment Date Comment		
City Transportation and Works Department (August 17, 2007)	A supporting Traffic Impact Study and associated Addendum have been submitted and are currently under review by staff. Notwithstanding the above, technical concerns have been identified with the submitted traffic material and additional information has been requested from the applicant's Traffic Consultant. Comments will be finalized prior to the preparation of the Supplementary Report.		
	This Department noted that the applicant's proposal for a common element condominium development does not meet many of the Council-endorsed guidelines and no justification has been provided for the many variances which are currently proposed. Accordingly, the applicant has been requested to submit a supporting site concept plan which illustrates the feasibility of the proposed common element condominium development, including the placement of the required minimum 3.0 m utility corridor, incorporation of the City's standard road cross-section for a Common Element Condominium and details regarding the proposed fencing, buffering, grading and common element features.		
	In addition, prior to the preparation of a Supplementary Report, the applicant is required to submit a Functional Servicing Report, Noise Addendum Study, a Slope Stability Addendum and Reliance Letters in support of the submitted Geotechnical Report and Phase I Environmental Site Assessment. Additional comments will be provided pending the receipt and review of these items.		
Other City Departments and	The following City Departments and external agencies offered		
External Agencies	no objection to these applications provided that all technical		
	matters are addressed in a satisfactory manner:		
	Canada Post		
	Enersource Hydro Mississauga		
	Bell Canada		
	<ul> <li>Enbridge Properties Inc.</li> <li>Enbridge Cas Distribution Inc.</li> </ul>		
	Enbridge Gas Distribution Inc.		
	The following City Departments and external agencies were		
	circulated the applications but provided no comments:		
	Sun Canadian Pipeline Company		

# Files: OZ 06/017 W8 and T-M07004 W8

## **School Accommodation**

The Peel District School Board		The Dufferin-Peel Catholic District School Board			
•	• Student Yield:		•	Student Yield:	
	11 7 9	Kindergarten to Grade 5 Grade 6 to Grade 8 Grade 9 to Grade 12/OAC		12 4	Junior Kindergarten to Grade 8 Grade 9 to Grade 12/OAC
•	School Accommodation:		•	School Accommodation:	
	Credit Valley P.S.			St. Rose of Lima Elementary School	
	Enrolment: Capacity: Portables: Thomas Str Enrolment: Capacity: Portables:	712 7 reet M.S.		Enrolment: Capacity: Portables: St. Aloysiu Enrolment: Capacity: Portables:	248 4 s Gonzaga Secondary School
Ec ca	lucation rated				

## NATURAL AREA IDENTIFIED ON-SITE





LIMITS OF NATURAL AREA IDENTIFIED ON-SITE ON JULY 10, 2007 BY THE CITY AND CVC





