



Corporate Report

Clerk's Files

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

DATE: February 26, 2008

TO: Chair and Members of Planning and Development Committee
Meeting Date: March 17, 2008

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Official Plan Amendment, Rezoning and Draft Plan of
Subdivision Applications
To permit 43 Common Element Condominium Townhouses
and 8 Semi-Detached Dwellings
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**

Supplementary Report **Ward 8**

RECOMMENDATION: That the Report dated February 26, 2008, from the Commissioner of Planning and Building recommending approval of the applications under Files OZ 06/017 W8 and T-M07004 W8, Dunpar Developments Inc., 4390 Mississauga Road, west side of Mississauga Road, south of Badminton Drive, be adopted in accordance with the following:

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

further notice regarding the proposed amendment is hereby waived.

2. That the application to amend Mississauga Plan from "Residential – Low Density I" to "Residential – Medium Density I" and "Greenbelt" to permit semi-detached dwellings, townhouses and greenbelt lands be approved.
3. That the application to change the Zoning from "D" (Development) to "RM6 – Exception" (Townhouse Dwellings on a CEC – Private Road) and "G1" (Greenbelt Natural Hazards) to permit 43 common element condominium townhouses, 8 semi-detached dwellings and conservation of natural features in accordance with the proposed zoning standards described in Appendix S-4 of this report, be approved, subject to the following conditions:
 - a)
 - i. delivery of an executed development agreement in a form satisfactory to the City of Mississauga including the provision of any outstanding technical studies and reports and including all required warning clauses requested by the City and any other official agency; and,
 - ii. the City of Mississauga shall be advised that a private waste collection agreement has been approved by Region of Peel Council.
 - b) That should condition 3(a) above not be satisfied prior to the upcoming OMB hearing, City Council direct Legal Services to request that the Ontario Municipal Board impose an "H" Holding Zone provision or withhold its order to implement the proposed rezoning until all the requirements of the City and any other official agency concerned with the development are satisfied including, but not limited to:
 - i. delivery of an executed development agreement in a form satisfactory to the City of Mississauga including the provision of any outstanding technical studies and reports and including all required

- warning clauses requested by the City and any other official agency; and,
- ii. the City of Mississauga shall be advised that a private waste collection agreement has been approved by Region of Peel Council.
4. That the Plan of Subdivision under file T-M07004 W8, be recommended for approval subject to the following conditions:
- (a) That the applicant/owner agree to satisfy the conditions contained in Appendix S-5, attached to this report dated February 26, 2008, from the Commissioner of Planning and Building, and those from any other official agency including, but not limited to:
 - i. delivery of an executed servicing agreement for Municipal Works Only with the City of Mississauga for the construction of the appropriate storm sewer outlet works to the Mullet Creek and any necessary municipal works required to service these lands;
 - ii. dedication to the City of Mississauga, a right-of-way widening along the Mississauga Road frontage;
 - iii. dedication of Block 4 of the draft plan of subdivision, as shown on Appendix I-9b for conservation purposes;
 - iv. submission of all outstanding reports, plans and studies;
 - v. approval of a Restoration Plan, cost estimate and associated securities to implement the Restoration Plan to the satisfaction of the City of Mississauga and Credit Valley Conservation;
 - vi. the City of Mississauga shall be advised by the Ministry of Culture that a satisfactory archaeological assessment has been received and all

archaeological resource concerns, if any, have satisfied licensing and resource conservation requirements; and,

- vii. 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.
5. That City Council direct Legal Services and representatives from the appropriate City Departments to attend the Ontario Municipal Board hearing and to retain expert witnesses, if necessary, regarding the Official Plan Amendment, Rezoning and Draft Plan of Subdivision applications filed by Dunpar Developments Inc. in support of the recommendations outlined in the report dated February 26, 2008.
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:

The Official Plan Amendment and Rezoning applications were appealed to the Ontario Municipal Board (OMB) on June 15, 2007. On July 10, 2007, the applicant also appealed the new Mississauga Zoning By-law 0225-2007 on a site-specific basis.

On October 31, 2007, an OMB mediation hearing was held to bring the parties together, discuss concerns, and to further define the outstanding issues and technical requirements. There was general agreement amongst the parties and participants on the urban form of the revised proposal, subject to the applicant satisfying technical requirements.

On January 4, 2008, the applicant also appealed the associated draft plan of subdivision application T-M07004 W8 to the OMB. The above appeals are anticipated to be consolidated and dealt with at the OMB Hearing scheduled for March 31, 2008.

Following the mediation session, the applicant revised the proposal as follows:

- the number of dwelling units has been reduced from 56 to 51; consisting of 8 semi-detached dwellings fronting onto Mississauga Road, whereas 9 townhouse units were previously proposed for the Mississauga Road frontage, and 43 townhouse units on the interior of the site, whereas 47 townhouse units were previously proposed;
- the driveway access has been moved to a central location, with a left-turn lane added on Mississauga Road;
- the building setback from Mississauga Road has increased from 4.5 m (14.8 ft.) to 7.5 m (24.6 ft.);
- the internal townhouse blocks (Blocks E-H) have been reduced in height from 12.4 m (40.7 ft.) to 9 m (29.5 ft.); the number of units per townhouse block is reduced; and, a landscape space between the blocks and a 3.0 m (10 ft.) landscape buffer along the north property line has been provided;
- the rear lane adjacent to the greenbelt has been deleted;
- a torpedo boring method is proposed for servicing the lands and the acoustic wall has been relocated to minimize tree loss in the landscape area adjacent to the property to the south;
- the greenbelt lands are to be dedicated to the City for conservation purposes and zoned "G1" (Greenbelt - Natural Hazards).

Following the public meeting and up to February 6, 2008, the applicant has provided updated technical documents which form the basis of this report. At the time of writing, a number of technical requirements have not been fully addressed, however, the applicant will be required to enter into a development agreement, prior to the enactment of the Zoning By-law, to ensure that the outstanding matters will be addressed to the satisfaction of the City and Credit Valley Conservation. Updated reports to address these technical issues are required as a condition of approval of the associated draft plan of subdivision. Additional conditions may be identified and required to be fulfilled prior to approval of applications for Site Plan and Draft Plan of Condominium.

BACKGROUND:

A public meeting was held by the Planning and Development Committee on October 1, 2007, 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-0067-2007 which was subsequently adopted by Council and is attached as Appendix S-2.

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

COMMENTS:**COMMUNITY ISSUES**

Some of the issues raised by the community were outlined in the Information Report attached as Appendix S-1. The following additional issues were raised at the Public Meeting, through correspondence and at Ward 8, Councillor Katie Mahoney's meetings with the community group:

Comment

Concern was expressed that the proposal is not compatible with the scale and character of the existing neighbourhood to the north from both a built form and density perspective. The lands should be developed in accordance with the current "Residential - Low Density I" land use designation since this area is not designated for intensification.

Response

Staff have determined that the revised proposal is suitable for the subject lands and provides a transition between the long-term care facility to the south and the detached dwellings to the north.

See "Planning Comments" section of the report for a complete analysis of the subject applications.

Comment

Concern that the proposal does not meet the intent of the Mississauga Road Scenic Route Study.

Response

The Mississauga Road Scenic Route Study was adopted on October 15, 1997. The study provides guidance on assessing development proposals on Mississauga Road. Given the increased setback, greater opportunity for landscaping and the semi-detached units fronting onto Mississauga Road, the objectives of the scenic route are maintained.

See "Planning Comments" section of the report for a complete analysis of the subject applications.

Comment

Concern with the environmental impacts of the proposal on the Mullett Creek.

Response

The applicant is proposing the dedication of a portion of the lands for conservation purposes. An Environmental Impact study has been submitted in support of the proposal. Condition of approval requires additional information to address restoration and protection of this area.

See "Planning Comments" section of the report for more detailed information.

Response

Updated comments from the Transportation and Works Department indicate that an acceptable traffic impact assessment has been received. The proposed access to Mississauga Road has been moved to a central location and will be served by a centre turning lane provided at the applicant's expense. Given the low

volume of traffic generated by the proposal and the uncertainty regarding the timing of development of the garden centre lands to the north, access from Moorevale Court is not required to serve this development. Other existing traffic matters regarding speeding and cut-through traffic are being reviewed by the City's Traffic Operations staff.

Comment

Concerns were raised regarding traffic on Mississauga Road, impacting pedestrian safety, and school bus pick-up and drop-off safety concerns.

Response

To accommodate pedestrians, a sidewalk has recently been constructed along the west side of Mississauga Road.

The School Boards have indicated that they will assign appropriate pick up and drop off locations for students and will ensure that students have access to public sidewalks.

Comment

Concern was raised that the number of on-site visitor parking will not be sufficient and that vehicles will park on Mississauga Road or on local streets.

Response

The proposal provides 2 parking spaces per dwelling and will provide 12 visitor parking spaces on-site. Short-term parking on local streets is currently permitted, however, restrictions have been placed on Mississauga Road to prohibit on-street parking. During construction the parking of construction worker's vehicles will be required to comply with municipal by-laws and will be subject to enforcement.

Comment

Concern was raised regarding the lack of active parkland and community facilities in the area.

Response

Given the relatively low proposed increase in population, (anticipated population is 168 persons), the development would not have a negative impact on the City's community facilities and provisions as outlined in the 2004 Future Directions for Recreation and Parks document. The City owns lands opposite the subject property, on the east side of Mississauga Road, formally known as Pinchin Farm. These lands form part of the City's parkland inventory, and will be developed for park purposes.

Comment

Concern was raised that the internal road layout would make the collection of waste difficult and provides insufficient space for snow storage.

Response

Waste removal and snow clearing in the proposed development will be the responsibility of the condominium corporation. Warning clauses will be included in the purchase and sale agreements informing potential purchasers of this additional expense. The proposal does not meet the Region of Peel standards for waste collection, therefore a private waste collection agreement will be required to be passed by Regional Council as a condition of development approval.

**UPDATED AGENCY AND CITY DEPARTMENT
COMMENTS****Region of Peel**

Comments dated January 4, 2008, state that the proposal will pose a significant safety concern as municipal waste collection vehicles

will be required to reverse across an internal intersection to collect from Blocks C and D. If the applicant is not willing to accommodate Regional waste collection standards within the proposed development, the applicant is advised to seek private waste collection. A written request by the applicant is required to initiate this process. Regional Council approval will be required for the private waste collection agreement. A warning clause will also be required to inform purchasers that private waste collection will be the sole responsibility of the condominium corporation.

Credit Valley Conservation

Comments dated February 11, 2008, indicate that CVC staff have previously identified inconsistencies between the submitted Environmental Impact Study (EIS) and Engineering reports and site plans submitted in support of the applications. Additionally, CVC noted concerns with the Engineering Report related to site servicing and noted that the EIS submission failed to comprehensively review all components of the development, particularly in relation to site servicing. As such, the various impacts of the development on the City of Mississauga's Natural Area System, the adjacent Woodland Chase Trail Natural Green Space Area (Natural Area CE1), and the valley slope associated with Mullett Creek have not been appropriately addressed.

To address these concerns, CVC staff requested that the reports be integrated more closely to ensure that appropriate limits of development are established, relevant impacts are documented, and suitable mitigation/compensation measures are proposed in an EIS that is satisfactory to the CVC and the City. Details of this are included in the Development Agreement. These matters were all identified as requirements within the scoped EIS Terms of Reference dated October 27, 2006. Further information and revisions related to the Engineering Reports and Plans have also been requested.

Notwithstanding these outstanding comments, all natural hazard limits and their associated setbacks have been identified and are to be located within the proposed "Greenbelt" block.

If Council approves the Official Plan Amendment and Rezoning applications, CVC recommends that all outstanding matters identified in their comments dated January 16, 2008, be addressed through the submission of a satisfactory Engineering Report and an EIS prior to By-law enactment. Additionally, should the Draft Plan of Subdivision application be considered appropriate, approval shall be subject to the satisfaction of CVC's subdivision conditions.

Transportation and Works Department

Updated comments on February 11, 2008, indicate that a revised Traffic Impact Study Assessment was received which addressed this Department's previously identified comments and confirmed that the proposed access to Mississauga Road will operate at a satisfactory level of service.

In addition, a satisfactory revised Functional Servicing Report was submitted which confirmed the feasibility of the proposed development from a storm servicing perspective. Additional details will be addressed as part of the review of the Servicing Agreement submissions.

In the event of Council approval and prior to plan registration, the owner will be required to enter into a Servicing Agreement for Municipal Works Only with the City of Mississauga for the construction of the appropriate storm sewer outlet works to the Mullet Creek and any necessary municipal works required to service these lands. Furthermore, the owner will be required to dedicate gratuitously to the City of Mississauga, a right-of-way widening along the Mississauga Road frontage of the site to the maximum right-of-way width of 26 m (85.3 ft.) or 13 m (42.7 ft.) from centerline and all lands below the established top-of-bank, regional floodline or slope hazard line (whichever is greater) associated with Mullet Creek.

In the interest of traffic safety, this Department will also require that the owner make satisfactory arrangements for the provision of a centre left turn lane on Mississauga Road in support of the proposed access to the site. Accordingly, as a condition of site plan

approval, the owner will be required to provide detailed drawings and a cost estimate for the necessary design work for the implementation of the centre left turn lane. All costs associated with these works shall be borne by the owner. In addition, it was noted that the applicant's proposal for a common element condominium development does not meet all of the Council-endorsed guidelines, for matters such as road width and easement locations. Alternative arrangements for these items will be dealt with through the Development Agreement and site plan process.

Community Services Department

Comments updated February 8, 2008, indicate that an Archaeological Assessment and Heritage Impact Statement have not been submitted to this Department. These studies will be required as a condition of subdivision approval and site plan control respectively.

An EIS has been submitted to the City, however, revisions are required and, to date, the resubmission has not yet been received. The EIS proposes restorative off-site works within City greenbelt lands to compensate for the loss of the Natural Area on-site. The greenbelt restoration works will be required through the subdivision process, and all works are subject to the approval of this Department, and associated securities will be required. Through the subdivision process, the Community Services Department will be addressing protection of adjacent City greenbelt lands through hoarding, fencing, and associated securities. Grading plans will also be subject to the approval of this Department.

In order to facilitate the widening of Mississauga Road, as required by the Transportation and Works Department, minor grading into future City parkland to the east side of Mississauga Road (former Pinchin Farm) will be required. This Department has no objection to these minor works, as grading is preferred over a retaining wall.

School Accommodation

In comments, dated July 24, 2007, the Dufferin-Peel Catholic District School Board indicated that there is no available capacity to accommodate students generated by these applications.

On May 27, 1998, Council adopted Resolution 152-98 which, among other things, requires that a Bill 20 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."

The Peel District School Board is satisfied with the current provision of educational facilities for the catchment area and request the standard sign and warning clauses be required.

PLANNING COMMENTS

The proposal requires an amendment to the Mississauga Plan Policies for the Central Erin Mills District from "Residential Low Density I" to "Residential Medium Density I" and "Greenbelt." The proposed amendment would permit an increase in density and allow townhouses as a permitted use as detailed in the concept plan attached as Appendix S-6 and detailed in the Zoning Section of this report.

Staff have evaluated the proposal and have no objection to the revised development applications, subject to the conditions outlined in the recommendations. The proposal is a good example of appropriate intensification, compatible built form with surrounding lands uses and, appropriate transition in use and building scale. The following discussion provides the rationale in support of the recommendation.

Provincial Policy Statement

The Provincial Policy Statement (PPS) 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 build-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 PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning systems. The subject applications are in conformity with the goals and objectives of the PPS.

Growth Plan for the Greater Golden Horseshoe

On June 16, 2006, the Growth Plan for the Greater Golden Horseshoe, came into effect. The document contains policies for managing growth and development by directing growth to built-up areas, promoting transit-supportive densities and supporting a mix of residential and employment land uses. The applications are in conformity with the goals and objectives of this document.

Region of Peel Official Plan

The Official Plan for the Region of Peel was approved on October 22, 1996. The Plan provides broad land uses policies which provide guidance to area municipalities in the preparation and implementation of local Official Plans. One of the objectives of the Plan is to achieve intensified and compact form and a mix of land uses in appropriate areas while taking into account the characteristics of the existing communities and services. The subject applications are in conformity with this document.

Mississauga Official Plan

Mississauga Plan implements Provincial policy by promoting a range of housing choice in terms of type, tenure and price to meet the diverse needs of the community. The proposal provides a

range of housing types and unit sizes. The proposal is also consistent with Mississauga Plan's residential intensification policies which promote low-rise development up to four storeys.

An evaluation of the proposed "Residential Medium Density I" designation is provided below based on Mississauga Plan's criteria (Section 5.3.2) for evaluating site specific Official Plan Amendments. Each criterion is summarized below along with a discussion of how the proposed applications address the intent of the criteria.

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.

Intensification that occurs in a manner that is compatible with the surrounding context is promoted by the Mississauga Plan. The proposal addresses matters of compatibility through relationships of scale and character of the area, having regard to the Scenic Route recommendations for Mississauga Road frontage, and building height and forms within the surrounding area. The proposal has regard for the vacant lands to the north, which may be developed in the future, by providing a transition from the long term care facility to the south and the established detached dwelling community to the north. The development of the subject lands will not preclude future redevelopment of the garden centre lands to the north.

The proposed land use is suitable for the proposed uses, and compatible with existing and future uses of surrounding lands.

The revised proposal with semi-detached dwellings facing Mississauga Road with a setback of 7.5 m (24.6 ft.) preserves the character of Mississauga Road and allows for tree planting in accordance with the Mississauga Road Scenic Route policies. The semi-detached units have been designed to give the appearance of a large single family dwellings, similar to those existing on Mississauga Road. The height of the internal blocks of townhouses and the length of the blocks on the north side of the

site have also been reduced and a minimum 3 m (9.8 ft.) landscaped buffer has been provided. The proposal does not raise any compatibility concerns with the adjacent long-term care facility and provides for an appropriate transition in height and bulk. This built form transition will also be required to be accommodated on the garden centre lands if they are developed in the future.

Compatible residential intensification is encouraged in several of Mississauga Plan's policies. As defined in Mississauga Plan, "compatible means development which may not necessarily be the same as or similar to the existing or desired development, but nonetheless enhances an established community and co-exists with existing development without unacceptable adverse impact on the surrounding area." The proposal for semi-detached dwellings and townhouses is appropriate from a compatibility perspective and does not pose any adverse impacts.

There is adequate infrastructure and community services to support the proposed development.

Planned parkland improvements to the Pinchin Farm will support the recreation needs of this development and the surrounding community. Supporting studies have been provided by the applicant to demonstrate that adequate infrastructure exists or can be upgraded, at the applicant's expense, to accommodate the proposal.

Site works and servicing will have an impact on existing trees and on the adjacent greenbelt lands. Since the public meeting and OMB mediation hearing, several changes have been made to minimize this impact and retain additional trees on site. The applicant has agreed to use a torpedo boring method for site servicing under the tree roots to enhance preservation efforts. The acoustic wall has also been relocated outside of the tree preservation area. Given the slope at the westerly edge of the property, excavation will be required in order to install services. The applicant has agreed to prepare a Restoration Plan for these areas to be approved by the City and the CVC. Securities will be required to ensure that the site works are completed to the

satisfaction of the City and CVC. A contribution to the City's Corporate Replacement Tree Planting Fund may also be required.

The proposed "Greenbelt" designation is appropriate to ensure conservation of the greenbelt lands that will be dedicated to the City as a condition of development approval.

Zoning

Should these applications be approved, a portion of the subject lands adjacent to the Mullett Creek valley would be rezoned from "D" (Development) to "G1" (Greenbelt Natural Features). The proposed "G1" zone is appropriate to ensure that the lands dedicated to the City are restricted to conservation purposes.

The balance of the subject lands will be rezoned to "RM6-Exception" (Townhouse Dwellings on a CEC – Private Road) to reflect the site specific provisions sought through these applications. Details of the revised proposal are as follows:

Development Proposal	
Type and Number of Units:	8 semi-detached dwellings 43 townhouse dwellings
Height:	10.7 m (35.1 ft.) semi-detached dwellings and townhouses Blocks C and D 9.0 m (29.5 ft.) internal townhouse dwellings (Blocks E-K)
Lot Coverage:	41.38%
Floor Space Index:	1.1 times the net lot area
Landscaped Area:	30%
Net Density:	44 units/ha (18 units/acre)

Development Proposal	
Anticipated Population:	169* *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:	115 spaces based on 2.0 parking spaces per unit and 0.25 visitor parking spaces per unit
Parking Provided:	114 spaces based on 2.0 parking spaces per unit and 0.20 visitor parking spaces per unit

The proposed "RM6-Exception" (Townhouse Dwellings on a CEC – Private Road) zone is appropriate to implement the proposal. The proposed draft Zoning By-law including a site-specific schedule is attached as Appendix S-4. In addition, the staff recommendations also request Council to give staff the authority to refine the details of the Zoning By-law through the upcoming OMB Hearing process.

New Mississauga Zoning By-law Under Site-Specific Appeal

The new Mississauga Zoning By-law (By-law 0225-2007), was passed by City Council on June 20, 2007 and is currently under site-specific appeal for the subject property. The current zoning on the property is "D" (Development) which permits existing uses. As noted earlier, this appeal is anticipated to be consolidated with the appeals of the subject applications at the March 31, 2008, OMB Hearing.

Draft Plan of Subdivision

The proposed plan of subdivision remains consistent with the plan attached in the Information Report as Appendix I-9b. The proposed blocks on the draft plan of subdivision have been reviewed by City Departments and agencies and are acceptable subject to certain conditions being fulfilled by the applicant as outlined in Appendix S-5.

In addition to the standard conditions of subdivision approval, the applicant will be required to update and submit the following supporting documents to the satisfaction of the City, Region of Peel, Credit Valley Conservation and any other official agency prior to the registration of this draft plan of subdivision:

- functional servicing report including grading, drainage and sediment and erosion control plans;
- stormwater management implementation report;
- environmental impact study, tree preservation plan and restoration plan;
- archaeological assessment; and
- servicing agreement for Municipal Works Only.

Site Plan Matters

To date, only a concept plan has been filed in support of the subject applications (Appendix S-5), in conjunction with preliminary building elevations (Appendix S-6).

The detailed technical requirements of the proposal will be refined further, during the review of a site plan application and supporting plans and studies. To reduce delay in processing the site plan application, the applicant is encouraged to satisfy the conditions outlined in the development agreement and associated with draft plan of subdivision approval prior to submitting the formal site plan application.

Draft Plan of Condominium

A future application for a draft plan of condominium will be required. Any outstanding or additional conditions identified through the review of the draft plan of condominium application are to be satisfied prior to approval. In addition, site plan approval will be required prior to approval of the draft plan of condominium application.

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

CONCLUSION: In accordance with subsection 34(17) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, Council is given authority to determine if further public notice is required. Since the request by the applicant is to reduce the number of dwelling units from 56 to 51 and include semi-detached dwellings facing Mississauga Road, it is recommended that no further public meeting need be held regarding the proposed changes.

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

1. The proposal for semi-detached and townhouse dwellings and greenbelt dedication is compatible with the surrounding land uses.
2. The proposed Official Plan provisions and zoning standards are appropriate to accommodate the requested uses.
3. Outstanding technical issues will be satisfied through the Development Agreement, registration of the Plan of Subdivision and through future applications for Site Plan Approval and Draft Plan of Condominium.

ATTACHMENTS: Appendix S-1 - Information Report
Appendix S-2 - Recommendation PDC-0067-2007
Appendix S-3 - Excerpt of Existing Land Use Map

Appendix S-4 - Proposed Zoning By-law

Appendix S-5 - City Draft Plan of Subdivision Conditions

Appendix S-6 - Revised Concept Plan and Elevations

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: Diana Rusnov, Manager, Development Team West



Corporate Report

Clerk's Files

Originator's

Files OZ 06/017 W8

T-M07004 W8

PDC OCT 01 2007

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 **Ward 8**

RECOMMENDATION: That the Report dated September 11, 2007, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Residential - Low Density I" to "Residential – 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 permit 56 townhouse dwellings under common element condominium tenure, under Files OZ 06/017 W8 and T-M07004 W8, Dunpar Developments Inc., 4390 Mississauga Road, be received for information.

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 site-specific basis.

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

Development Proposal	
Anticipated Population:	168* *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:	112 spaces for resident parking based on 2.0 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 Provided:	112 spaces for resident parking 14 spaces for visitor parking 0 spaces for recreational vehicle parking Total parking provided is 126 spaces
Supporting Documents ²	Report on Geotechnical Investigation 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

¹ Net lot area excludes 515.5 m² (5,549 ft²) 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.

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 semi-detached 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:

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.

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, semi-detached, 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

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 m² (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-of-bank 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;

- acoustic report;
- traffic impact assessment;
- 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-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

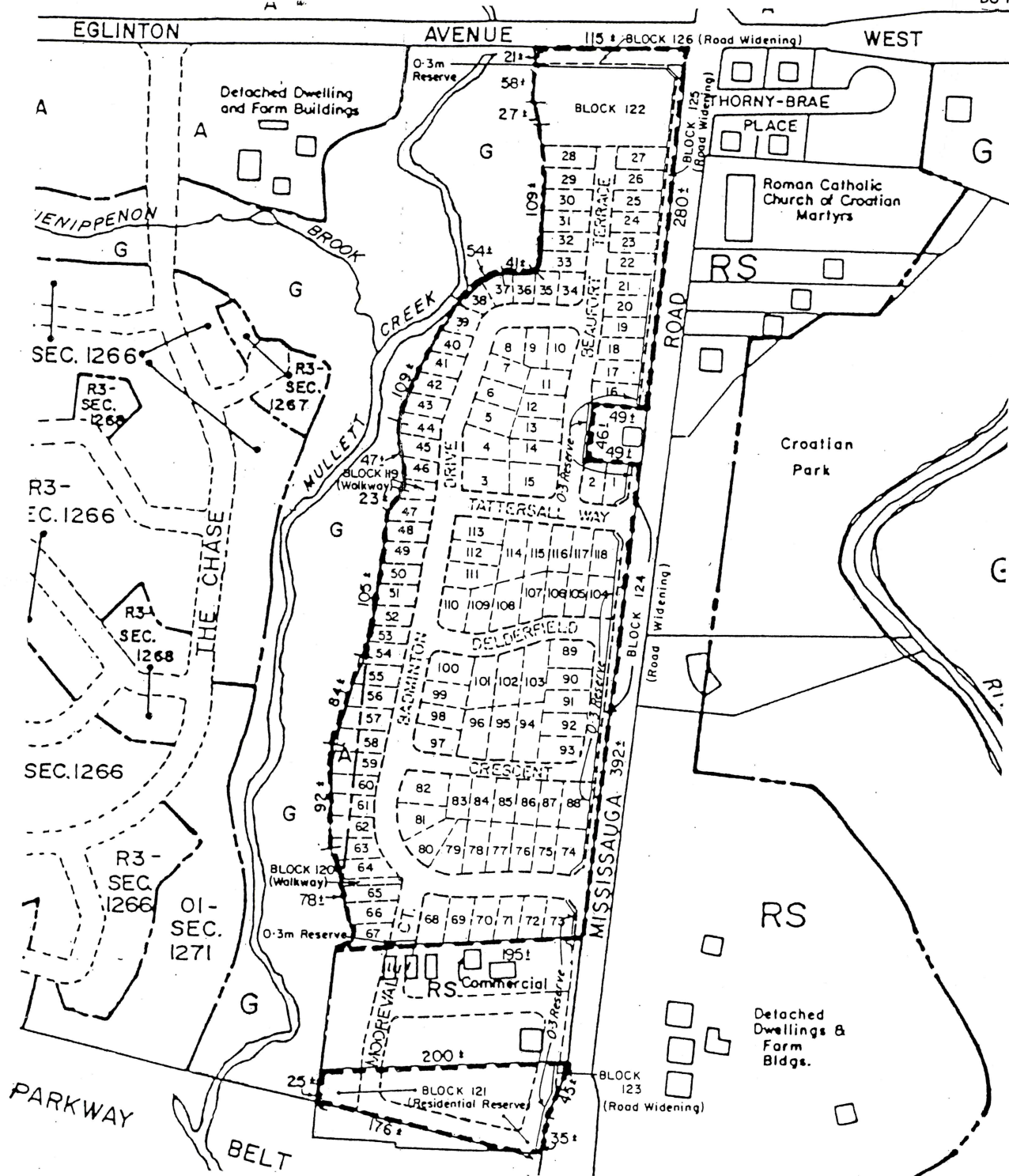
Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: Michael Crechiolo, Development Planner

Dunpar Developments Inc.**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	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	Dunpar Developments Inc. submits the Environmental Impact Study.



 AREA OF DRAFT PLAN

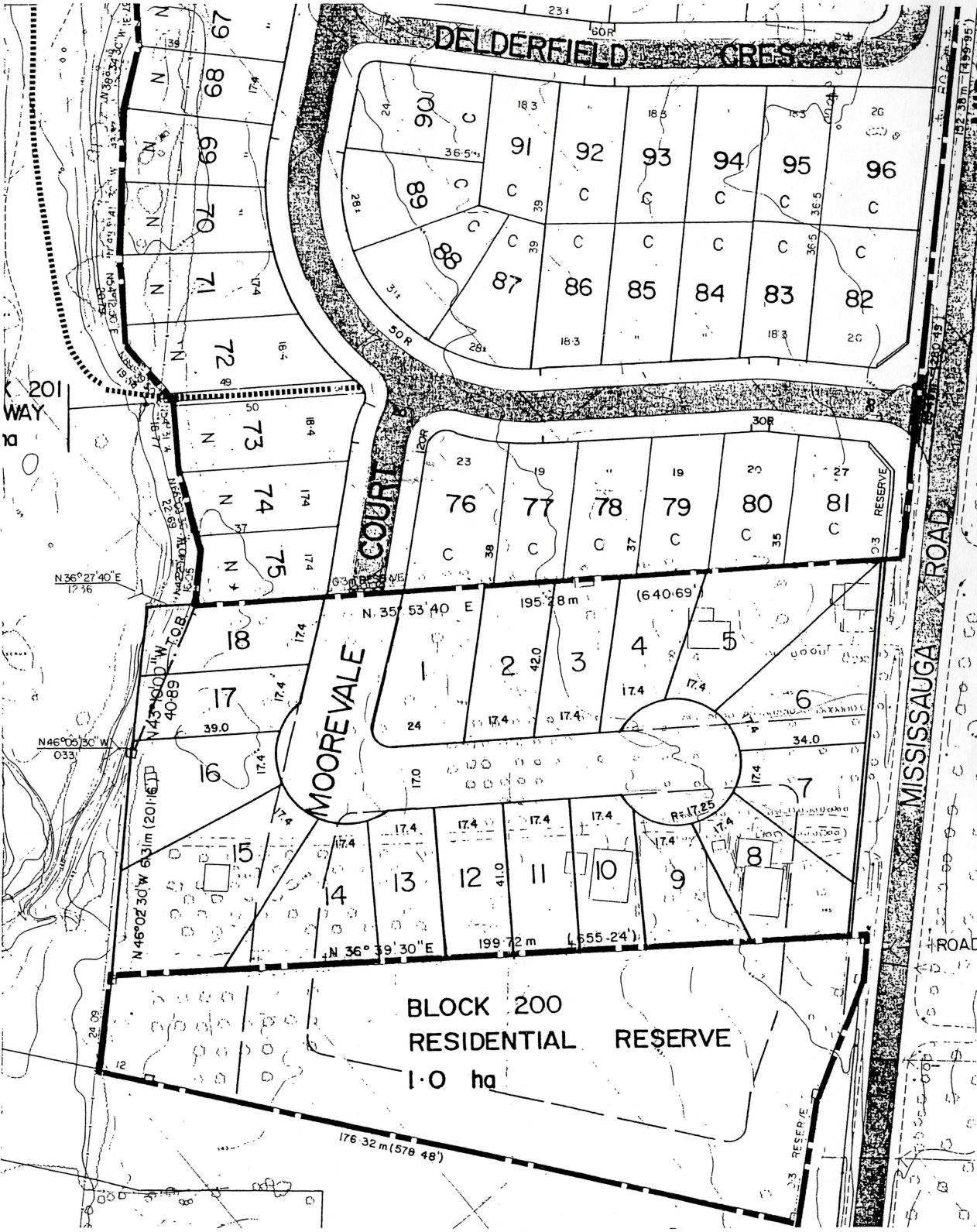
SUBJECT:

Draft Plan Of Subdivision 21T82026M

THE ERIN MILLS DEVELOPMENT CORPORATION

CITY OF MISSISSAUGA

SCHEDULE: A



RESIDENTIAL - 18 Lots
LENGTH OF ROAD - 150 m
TOTAL AREA - 2.0 ± ha
FINAL LOT COUNT SUBJECT TO SURVEY



SCALE 1:1000
AUGUST 25, 1988
JOB NO. 496

HUGH THOMPSON ASSOCIATES INC.



LEGEND:

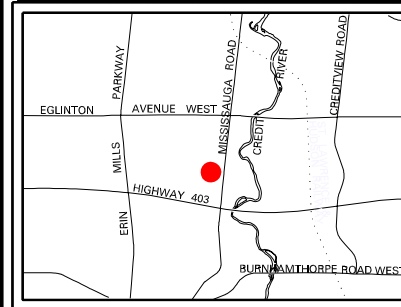


SUBJECT LANDS

DATE OF AERIAL PHOTO: 2007



SUBJECT:
DUNPAR DEVELOPMENTS INC.



FILE NO:
OZ 06/017 W8
T-M07004 W8

DWG. NO:
06017A

SCALE:
NTS















PDC DATE:
2007 10 01

DRAWN BY:
R.DICOSOLA






APPENDIX I-2

PART OF CENTRAL ERIN MILLS DISTRICT LAND USE MAP CENTRAL ERIN MILLS DISTRICT POLICIES OF MISSISSAUGA PLAN












LAND USE DESIGNATIONS

-  Residential - Low Density I
-  Residential - Low Density II
-  Residential - Medium Density I
-  Residential - High Density I
-  Residential - High Density II
-  General Commercial
-  Convenience Commercial
-  Motor Vehicle Commercial
-  Office
-  Open Space
-  Greenbelt
-  Institutional
-  Parkway Belt West
-  Utility

LAND USE LEGEND

-  - Node Boundary
-  - Community Park
-  - Hospital
-  - Existing Stormwater Management Facility
-  - Planning District

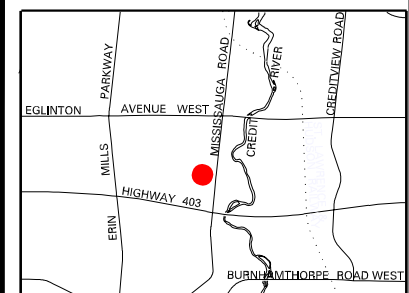
TRANSPORTATION LEGEND

-  Provincial Highway and Interchange
-  Arterial
-  Major Collector
-  Major Collector (Scenic Route)
-  Minor Collector
-  Local Road
-  Existing Commuter Rail
-  GO Transit Station
-  Transitway
-  Transitway Station
-  Major Transit Corridor

 **SUBJECT LANDS**



SUBJECT: DUNPAR DEVELOPMENTS INC.

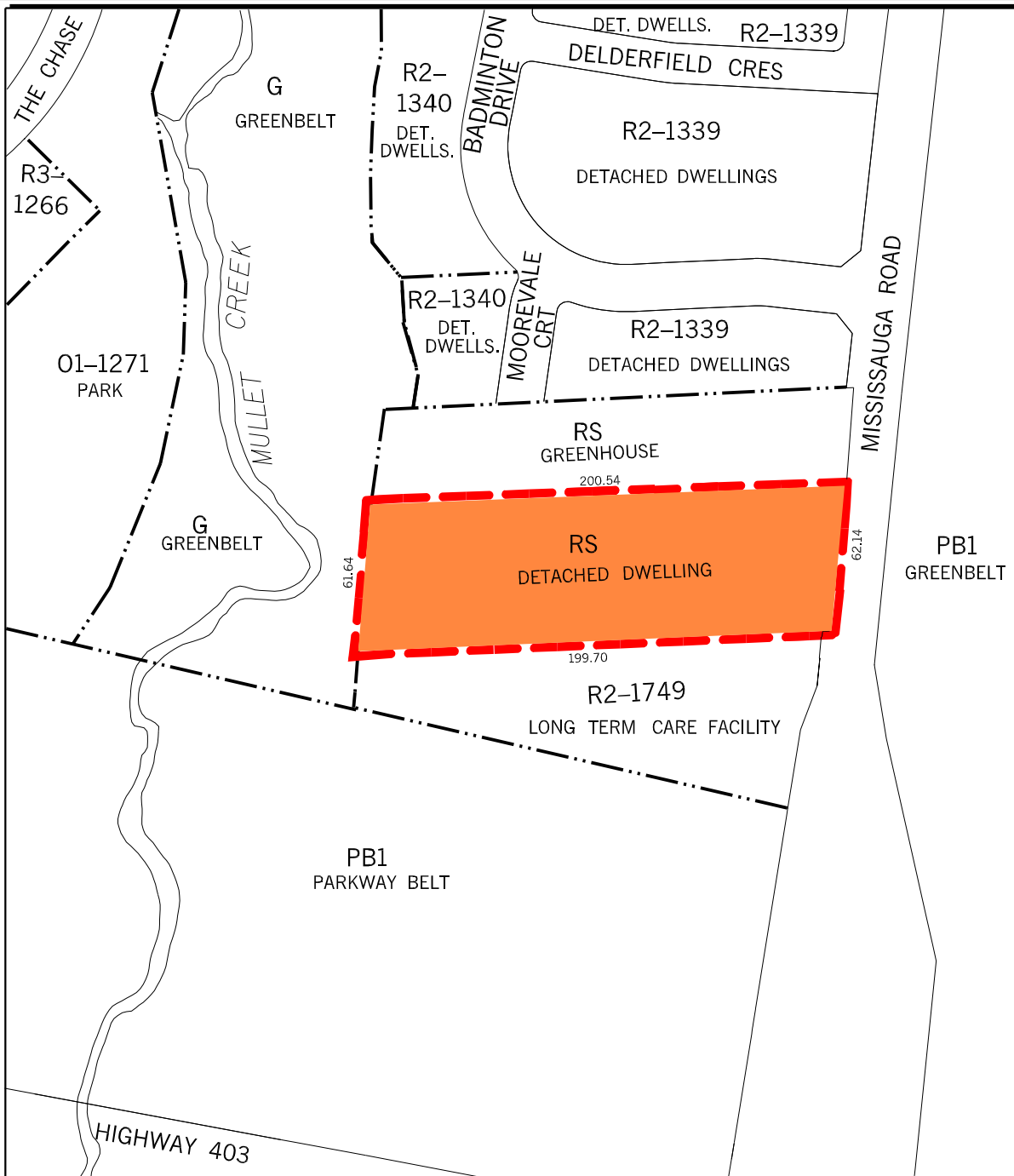


FILE NO:
OZ 06017 W8
T-M07004 W8
DWG. NO:
06017L
SCALE:
1:5000
DATE:
2007 10 01
DRAWN BY:
R. DICOSOLA

APPENDIX 1-3

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics



BY-LAW 5500

LEGEND:



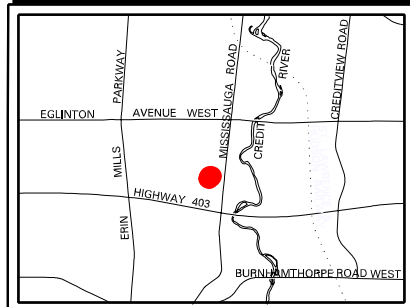
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NOTE: THE NEW ZONING BY-LAW (BY-LAW 0225-2007) WAS PASSED BY COUNCIL ON JUNE 20, 2007 AND IS UNDER APPEAL. SHOULD BY-LAW 0225-2007 COME INTO FORCE THE ABOVE NOTED APPLICATION WOULD NEED TO BE CHANGED IN ACCORDANCE WITH APPENDIX I-4b AS ATTACHED.

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



SUBJECT: DUNPAR DEVELOPMENTS INC.



FILE NO: OZ 06/017 W8 T-M07004 W8	
DWG. NO: 06017R	
SCALE: 1:2500	
PDC DATE: 2007 10 01	
DRAWN BY: R.DICOSOLA	
APPENDIX I-4a	

**BY-LAW 0225-2007
(UNDER APPEAL)**

LEGEND:



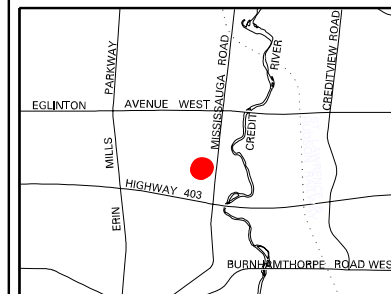
"PROPOSED OFFICIAL PLAN AMENDMENT FROM "RESIDENTIAL-LOW DENSITY I" TO "RESIDENTIAL-MEDIUM DENSITY I-SPECIAL SITE" AND PROPOSED REZONING FROM "D" (DEVELOPMENT) TO "RM6-EXCEPTION" (TOWNHOUSE DWELLINGS ON CEC PRIVATE ROAD) TO PERMIT 56 TOWNHOUSES. AND PROPOSED DRAFT PLAN OF SUBDIVISION".

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



SUBJECT:

DUNPAR DEVELOPMENTS INC.



FILE NO:
OZ 06017 W8
T-M07004 W8

DWG. NO:

06017R

SCALE:

1:2500

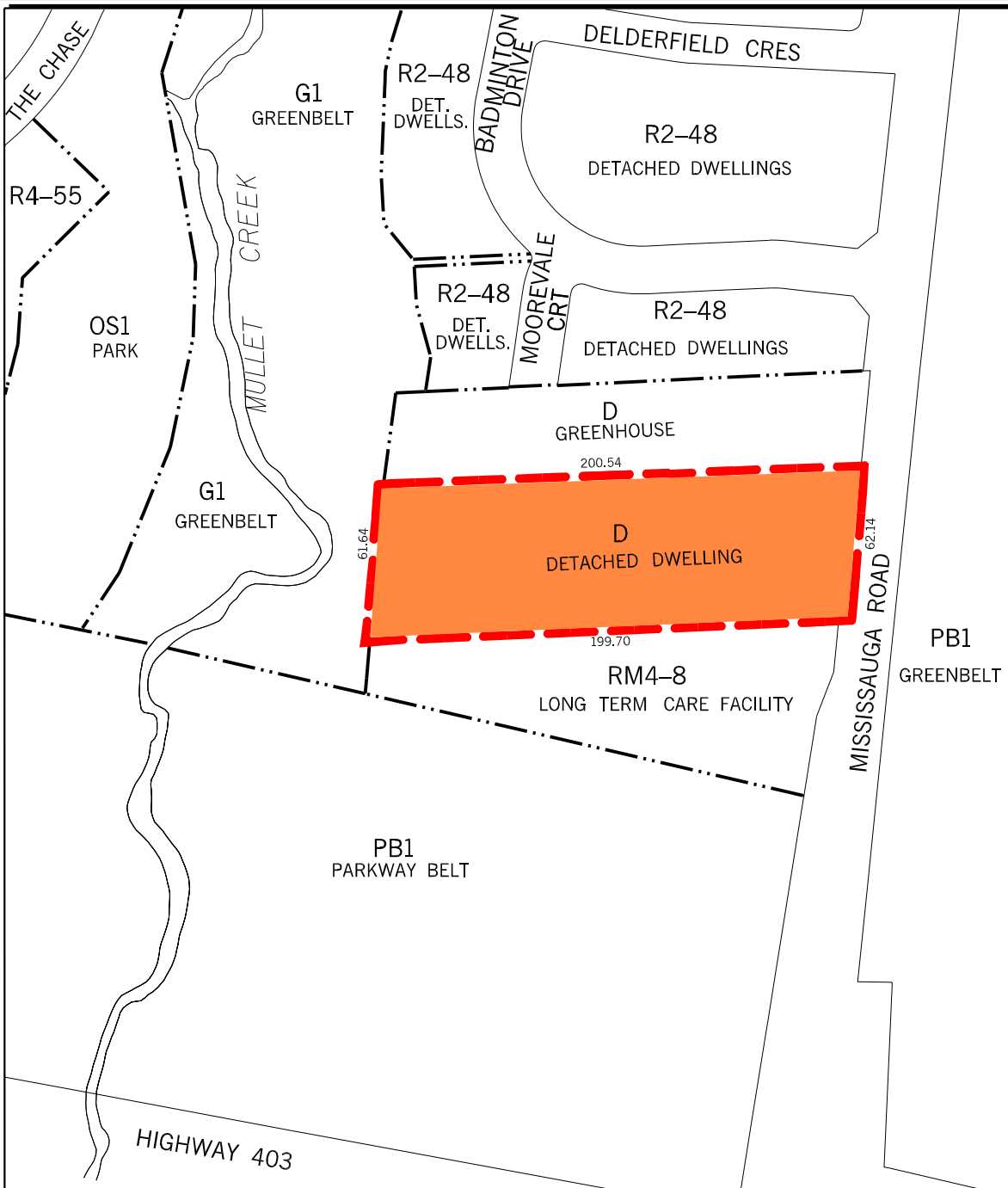
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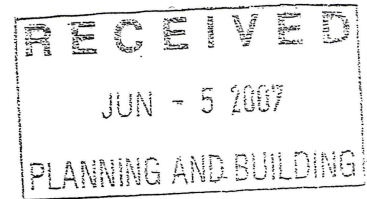
2007 10 01

DRAWN BY:

R.DICOSOLA

APPENDIX I-4b





**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

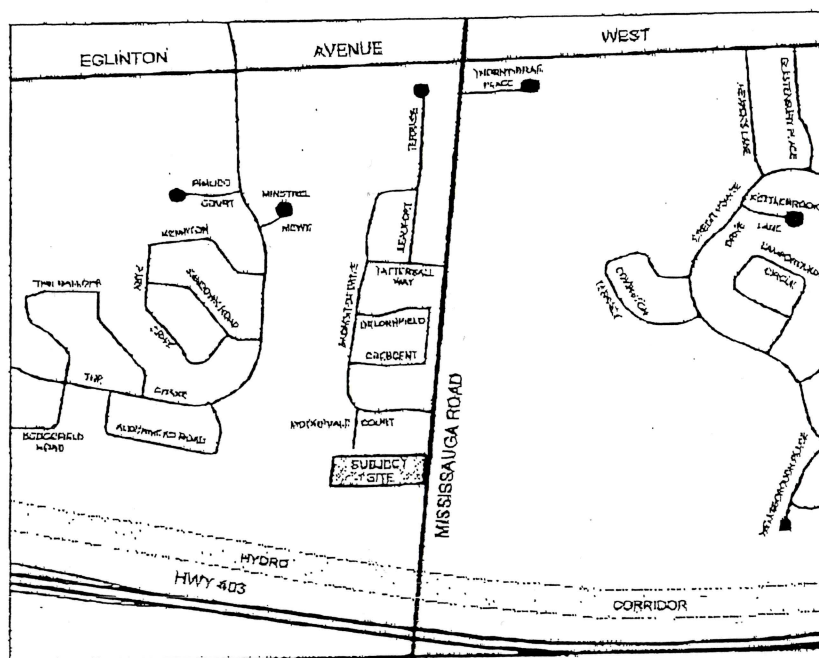
Category	Council Endorsed Guidelines	Proposed Zone
Minimum Lot Area-Interior Lot	115 m ² (1,238 sq.ft)	90 m ² (968.8 sq.ft)
Minimum Lot Area-Corner Lot	190 m ² (2,045 sq.ft)	90 m ² (968.8 sq.ft)
Minimum Lot Frontage - Interior Lot	5.0 m (16.4 ft.)	5.0 m (16.4 ft.)
Minimum Lot Frontage – Corner Lot	8.3 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 ¹	6.0 m (19.7 ft.)	0.0 m to private lane 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
-Adjacent to a common amenity area	1.5 m (4.9 ft.)	0.0 m
Minimum Rear Yard ¹	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		
-Minimum spaces per dwelling ¹	2 per dwelling	2 tandem per dwelling
-Minimum visitor spaces	0.25 per dwelling	0.25 per dwelling
-Minimum common recreational vehicle parking spaces	0.05 spaces per dwelling	0 provided
-Maximum driveway width ¹	3.8 m (12.5 ft.)	Individual driveways not provided
Private Garage ¹	Required	Provided
Maximum Encroachments		
-Porches	1.5 m (4.9 ft.)	Not specified
-Front yard/side yard projections	0.6 m (2.0 ft.)/ 0.3 m (1.0 ft.)	0.8 m (2.6 ft.) and 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: ¹		
-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 spaces (no sidewalk)	6.0 m (19.6 sq.ft.)	6.0 m (19.6 sq.ft.)
-Road with sidewalk and parallel common visitor parking spaces	7.2 m (23.6 sq.ft.)	7.2 m (23.6 sq.ft.)

Notes:

¹ 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.

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

RECEIVED

JUL 18 2007

Division	Action	Info	Seen
Commissioner			
Building			
Policy Planning			
Dev. & Design			
Strat. Plan. & 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 "RM5-xxxx" 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 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 "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 By-law shall apply;
 - (3) the maximum number of dwelling units shall be 56;
 - (4) 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;
 - (6) 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;

- (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;

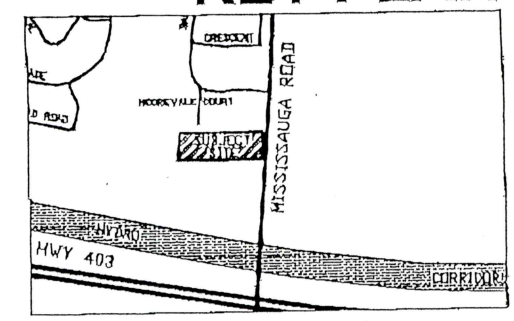
Type of Building	Minimum Required Parking Spaces per Dwelling Unit	
	Resident	Visitor
Row Dwelling	2.00	0.25

- (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.

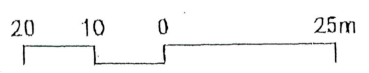
ENACTED and PASSED this ____ day of _____, 2007.

KEY PLAN

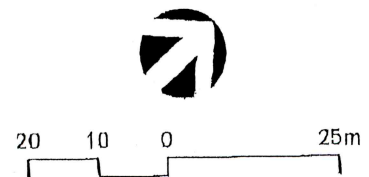
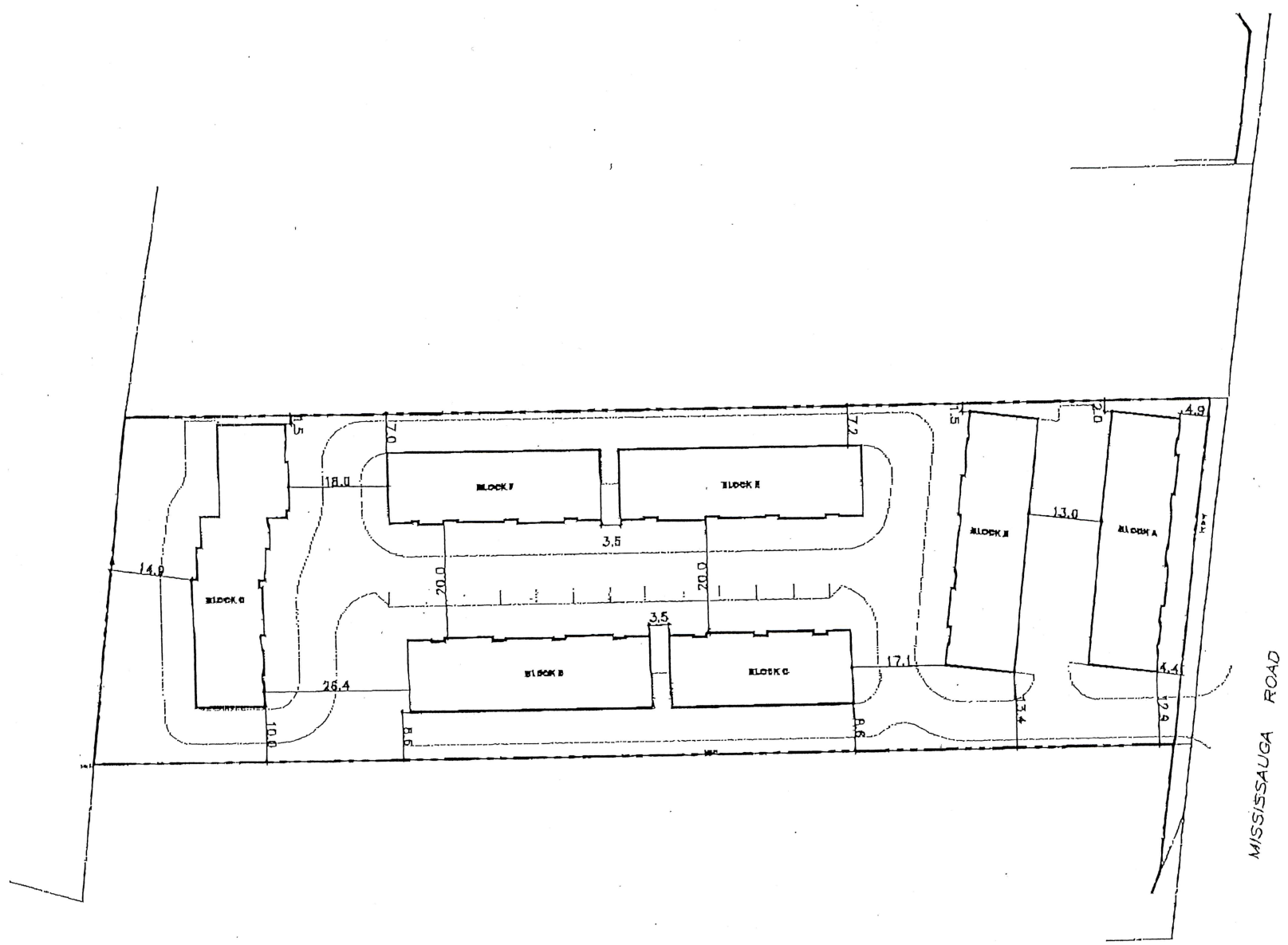


**RS
to
RM5 - XXXX**

MISSISSAUGA ROAD



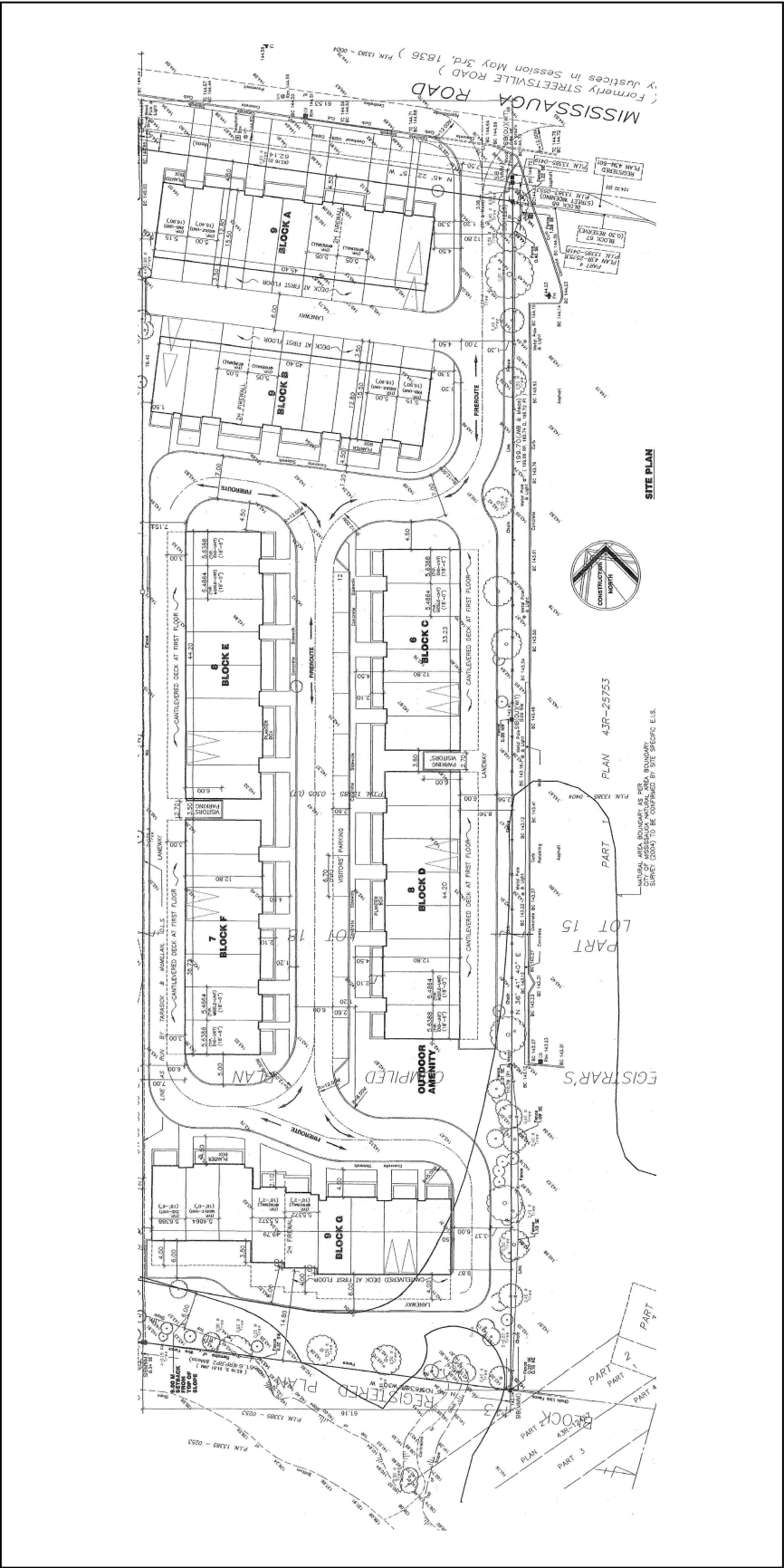
THIS IS SCHEDULE "A"
TO BY-LAW NO. _____
PASSED BY COUNCIL ON _____

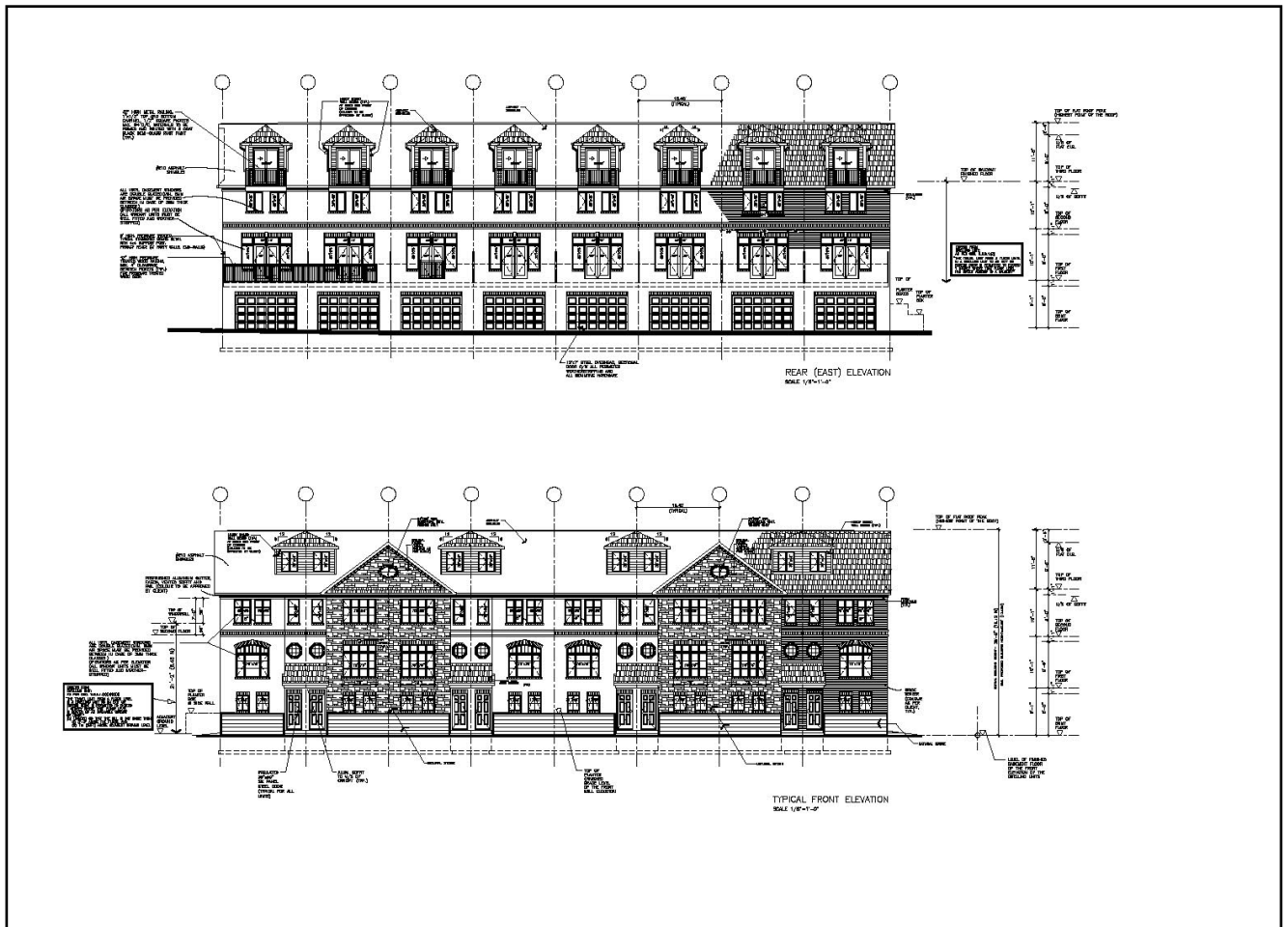


 Bulldable Areas

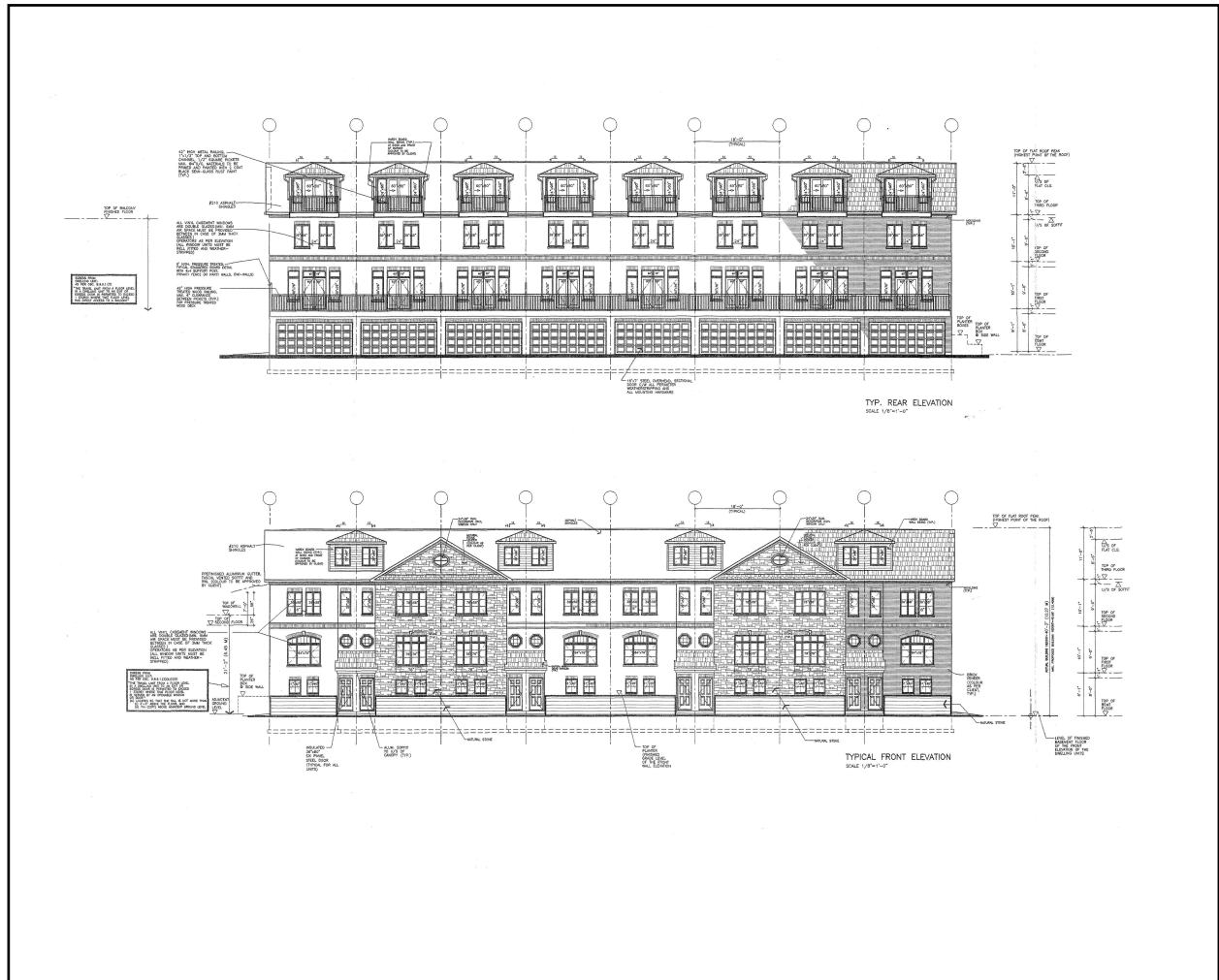
THIS IS SCHEDULE "I" TO
SECTION "____" AS ATTACHED
TO BY-LAW NO. _____
PASSED BY COUNCIL ON _____

COMMON ELEMENT CONDOMINIUM – CONCEPT PLAN
56 TOWNHOUSES PROPOSED





ELEVATIONS
5.5m (18ft.) WIDE DWELLINGS



LEGEND:



AREA DRAFT PLAN OF SUBDIVISION
T-M07004 W8.

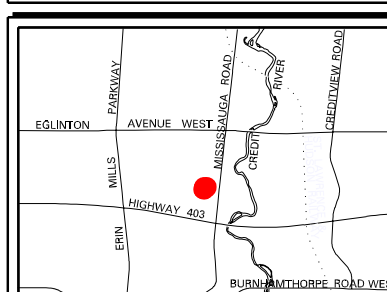
NOTE: THE NEW ZONING BY-LAW (BY-LAW 0225-2007) WAS PASSED BY COUNCIL ON JUNE 20, 2007 AND IS UNDER APPEAL. SHOULD BY-LAW 0225-2007 COME INTO FORCE THE ABOVE NOTED APPLICATION WOULD NEED TO BE CHANGED IN ACCORDANCE WITH APPENDIX I-9b AS ATTACHED.

PROPOSED ZONING INDICATED BY SHADING WITHIN THE APPLICATION AREA.



SUBJECT:

DUNPAR DEVELOPMENTS INC.



FILE NO:
OZ 06017 W8
T-M07004 W8

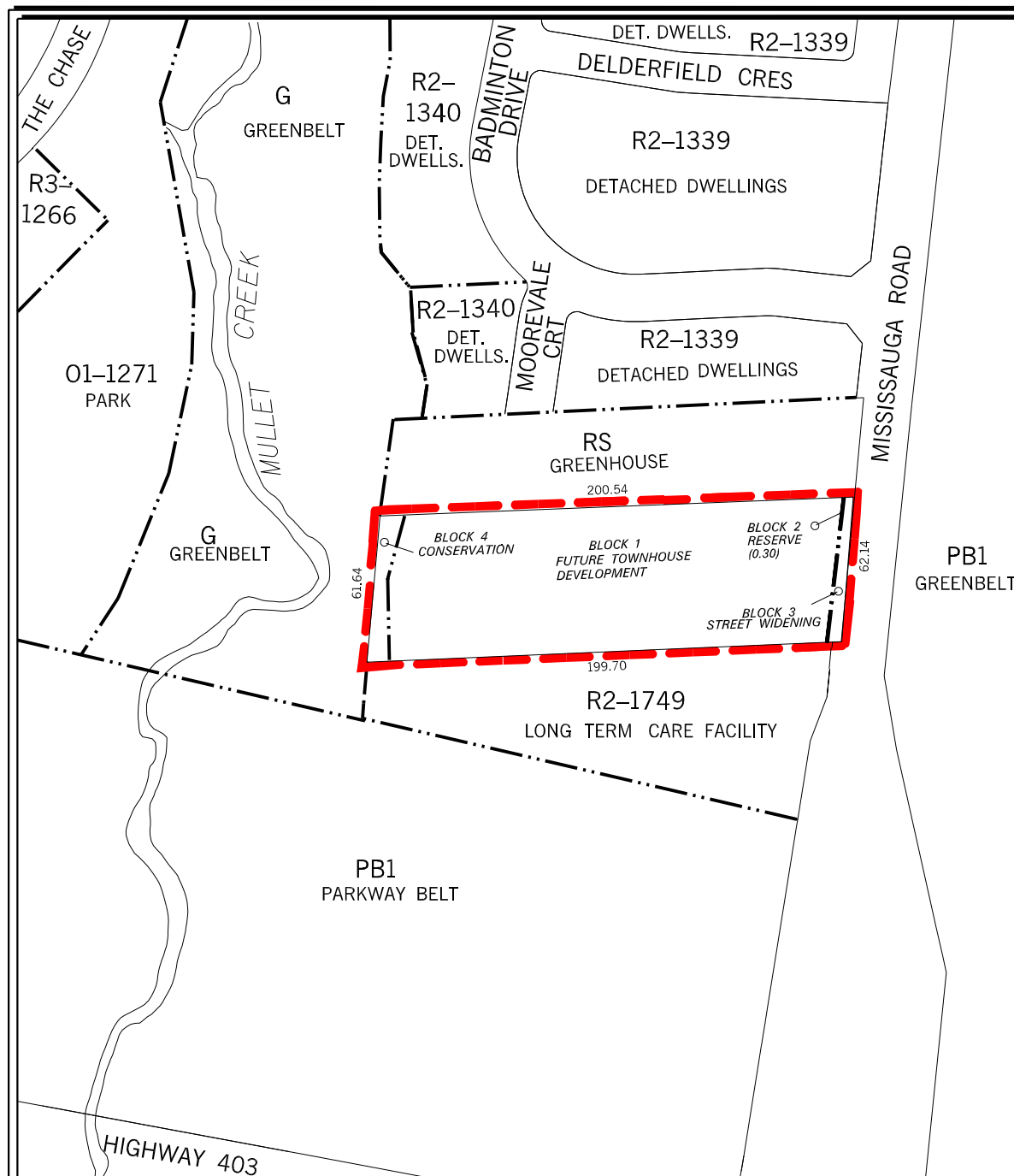
DWG. NO:
06017S

SCALE:
1:2500

PDC DATE:
2007 10 01

DRAWN BY:
R.DICOSOLA

APPENDIX I-9a



**BY-LAW 0225-2007
(UNDER APPEAL)**

LEGEND:



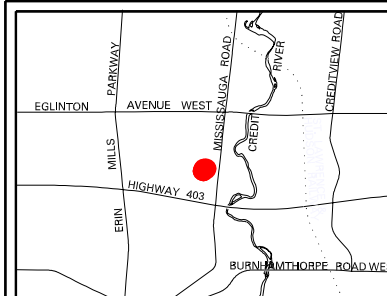
AREA DRAFT PLAN OF SUBDIVISION
T-M07004 W8.

PROPOSED ZONING INDICATED BY SHADING WITHIN
THE APPLICATION AREA.



SUBJECT:

DUNPAR DEVELOPMENTS INC.



FILE NO:
OZ 06017 W8
T-M07004 W8

DWG. NO:
06017S

SCALE:
1:2500

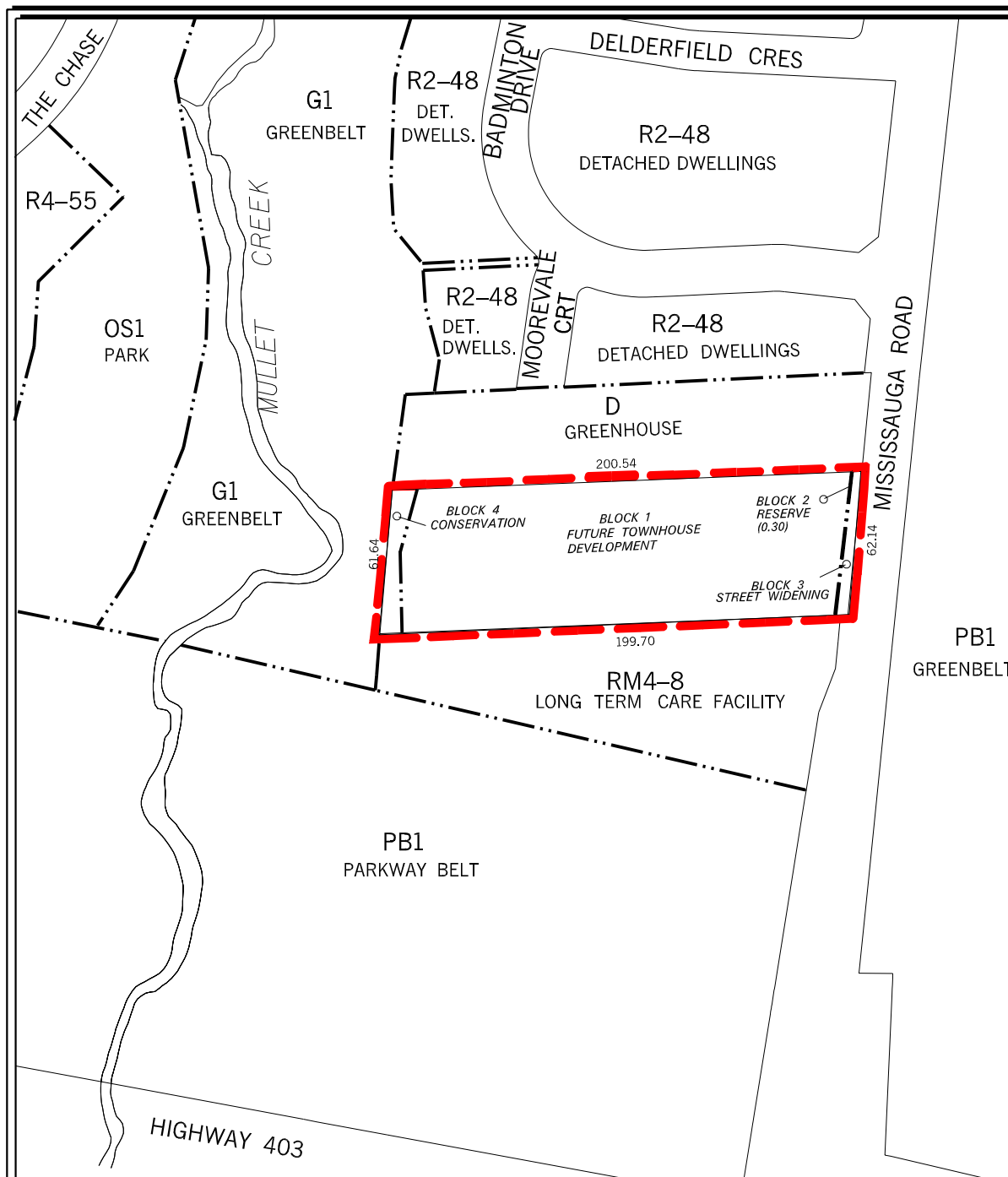
PDC DATE:
2007 10 01

DRAWN BY:
R.DICOSOLA

APPENDIX
I-9b

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics



Dunpar Developments Inc.**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)	<p>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.</p> <p>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.</p>
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.

Dunpar Developments Inc.

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

Agency / Comment Date	Comment
Dufferin-Peel Catholic District School Board (July 24, 2007)	<p>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:</p> <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>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.”</p> <p>The Board requests that the following conditions be incorporated in the conditions of draft approval:</p> <p>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.”</p> <p>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:</p> <p>“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.”</p> <p>“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.”</p>

Dunpar Developments Inc.

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

Agency / Comment Date	Comment
Peel District School Board (June 26, 2007)	<p>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.</p> <p>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:</p> <p>"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.</p>
Credit Valley Conservation (July 27, 2007)	<p>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.</p>

Dunpar Developments Inc.

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

Agency / Comment Date	Comment
<p>City Community Services Department - Planning, Development and Business Services Division (July 25, 2007)</p>	<p>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.</p> <p>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 proposing private outdoor amenity space within the development proposal.</p> <p>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.</p>

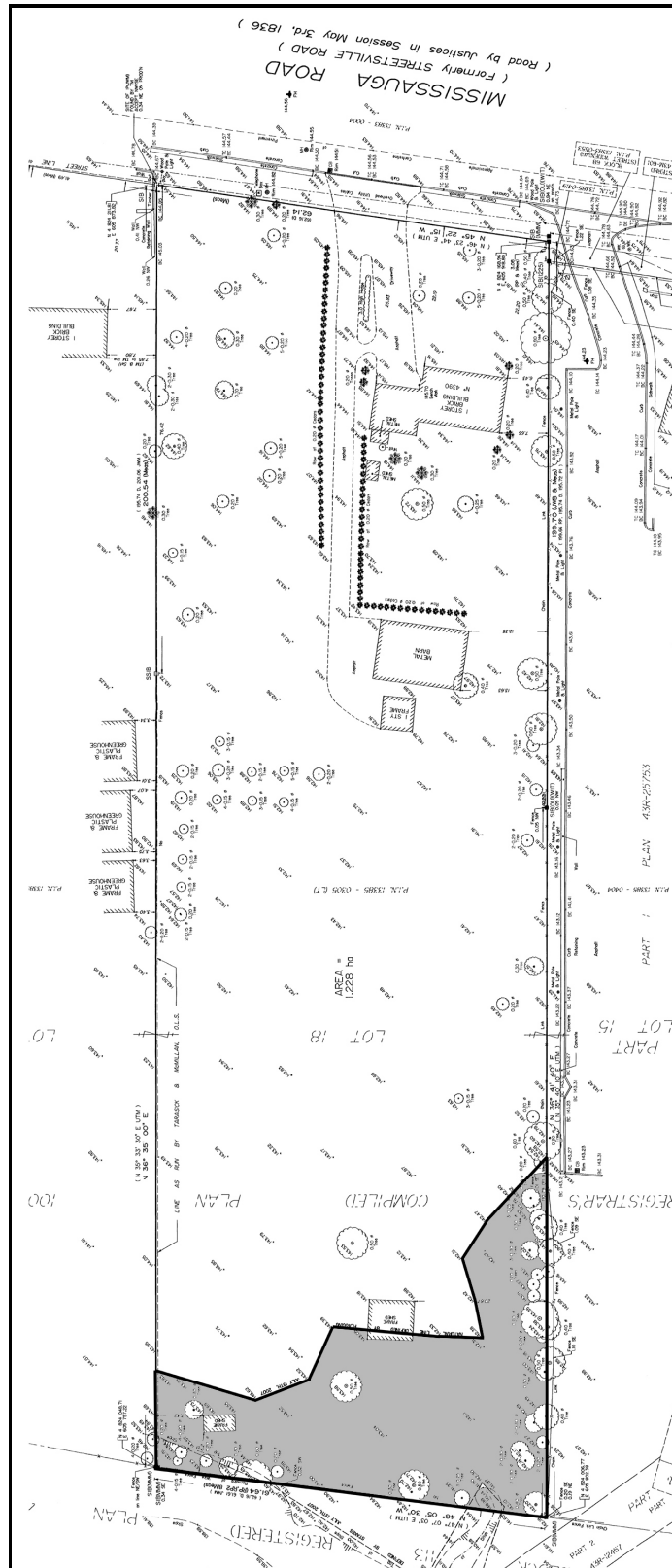
Dunpar Developments Inc.**Files: OZ 06/017 W8 and T-M07004 W8**

Agency / Comment Date	Comment
City Transportation and Works Department (August 17, 2007)	<p>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.</p> <p>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.</p> <p>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.</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"> • Canada Post • Enersource Hydro Mississauga • Bell Canada • Enbridge Properties Inc. • Enbridge Gas Distribution Inc.
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <ul style="list-style-type: none"> • Sun Canadian Pipeline Company

Dunpar Developments Inc.**Files: OZ 06/017 W8 and T-M07004 W8****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"> 11 Kindergarten to Grade 5 7 Grade 6 to Grade 8 9 Grade 9 to Grade 12/OAC School Accommodation: <ul style="list-style-type: none"> Credit Valley P.S. <ul style="list-style-type: none"> Enrolment: 789 Capacity: 712 Portables: 7 Thomas Street M.S. <ul style="list-style-type: none"> Enrolment: 929 Capacity: 755 Portables: 6 John Fraser S.S. <ul style="list-style-type: none"> Enrolment: 1355 Capacity: 1236 Portables: 2 <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"> 12 Junior Kindergarten to Grade 8 4 Grade 9 to Grade 12/OAC School Accommodation: <ul style="list-style-type: none"> St. Rose of Lima Elementary School <ul style="list-style-type: none"> Enrolment: 325 Capacity: 248 Portables: 4 St. Aloysius Gonzaga Secondary School <ul style="list-style-type: none"> Enrolment: 1937 Capacity: 1656 Portables: 0

NATURAL AREA IDENTIFIED ON-SITE



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

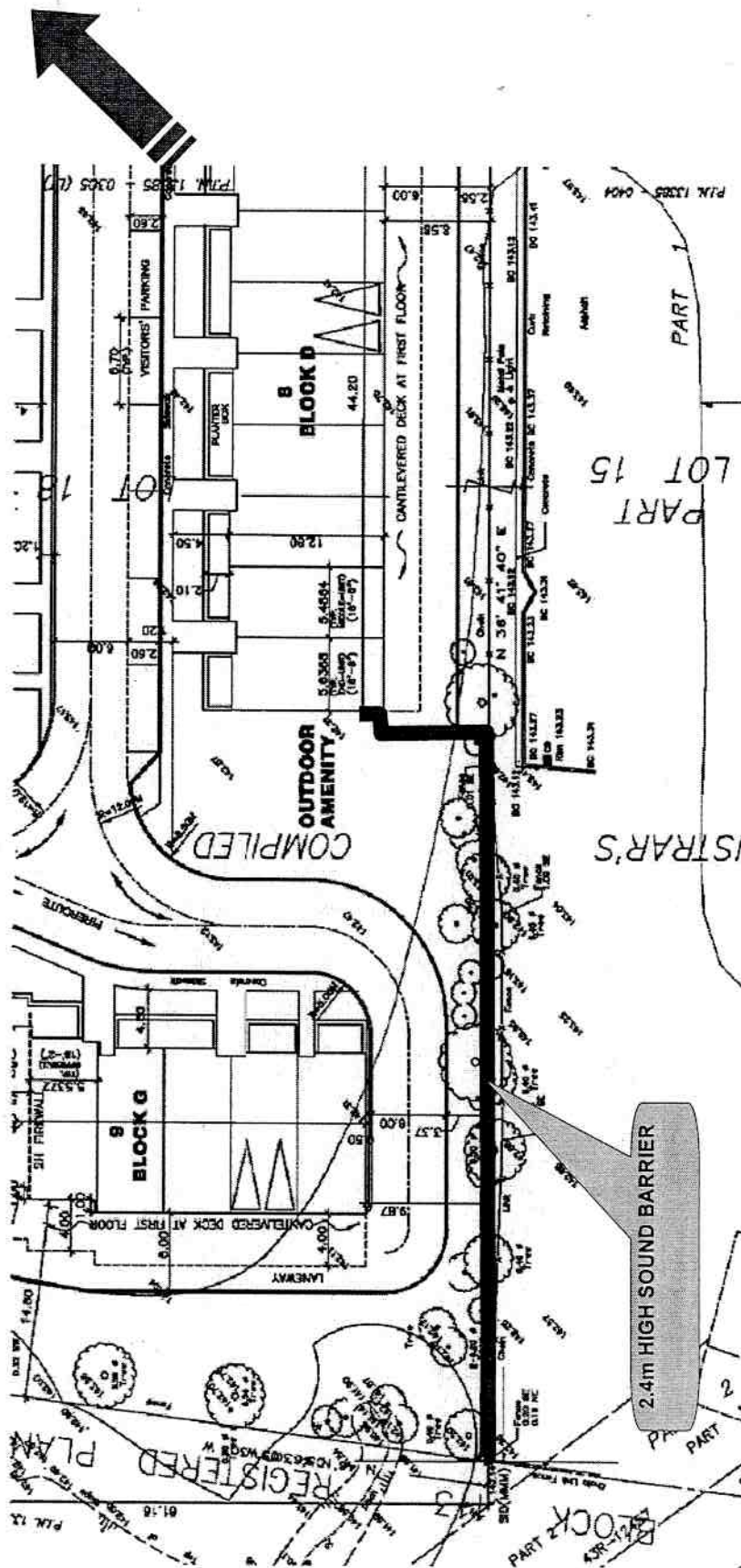


FIGURE 3
SCHEMATIC SOUND BARRIER ALIGNMENT



PDC-0067-2007

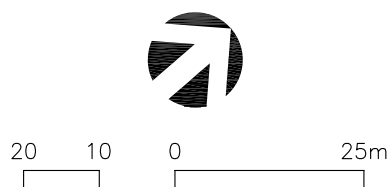
1. That the Report dated September 11, 2007, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Residential – Low Density I" to "Residential – Medium Density I" with a Special Site Policy, to change the Zoning from "RS" (Detached Dwellings) to "RM5-Special Section" (Townhouse Dwellings) and a Draft Plan of Subdivision, to permit 56 townhouse dwellings under common element condominium tenure, under Files OZ 06/017 W8 and T-M07004 W8, Dunpar Developments Inc., 4390 Mississauga Road, be received for information.
2. That the e-mails from Rainer Rothfuss, Mei Kwan Cheung, Mike Henderson, John Prenevost and Dorren and James Renner (on behalf of the Mississauga Road Sawmill Valley Ratepayer's Association), be received.
3. That the e-mail from John McGlone on behalf of the Mississauga Oakridge Resident's Association, expressing objection to the 56 townhouses at 4390 Mississauga Road, be received.
4. That the petition submitted by Mike Maiola, on behalf of the area residents, expressing opposition to the above development application, be received and referred to the Planning and Building Department.

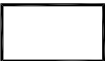



The above Recommendation was adopted by Council at its meeting of October 10, 2007.

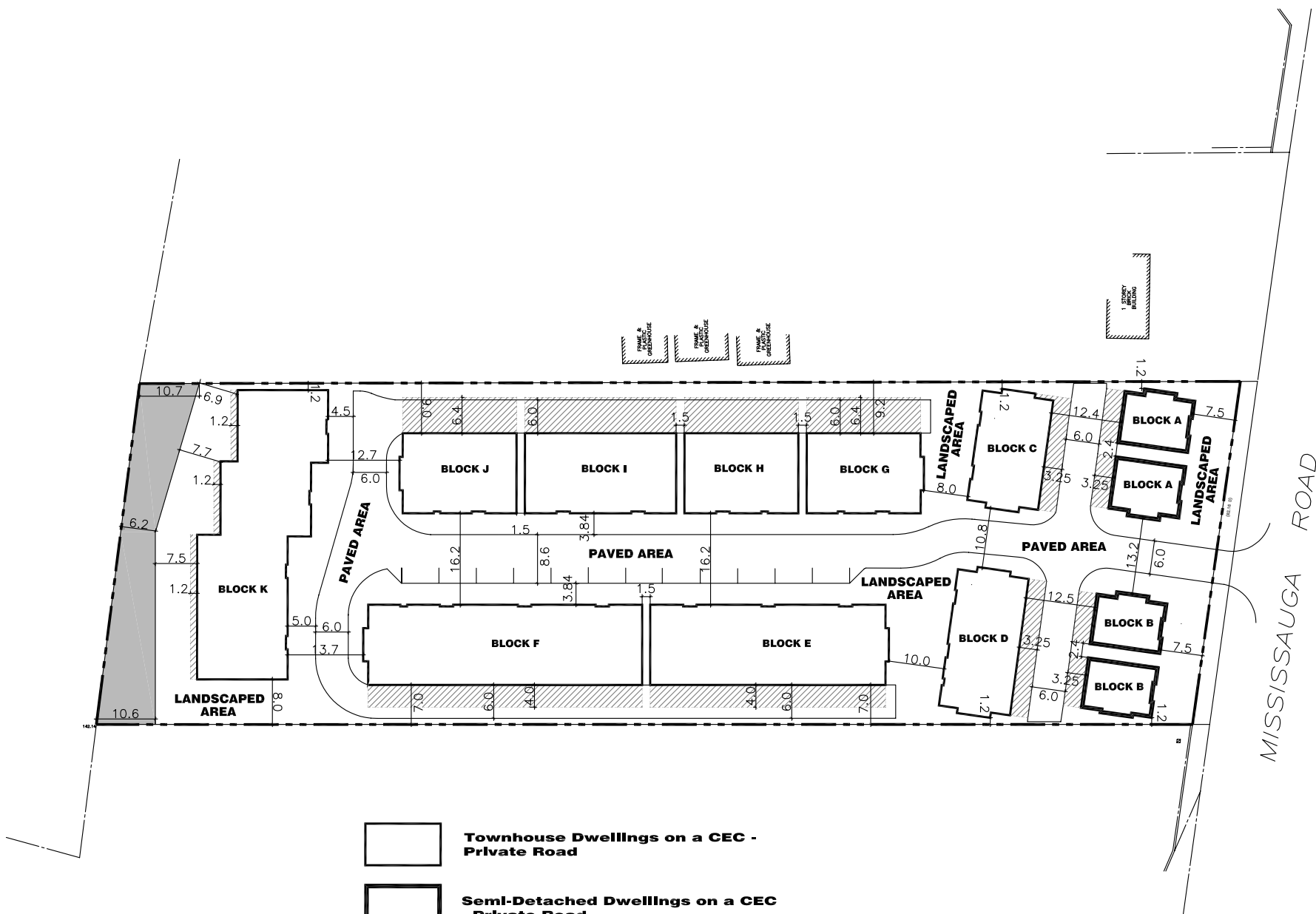
Proposed Zoning By-law

4.12.2.10	Exception: RM6-10	Map # 31	By-law:
In a RM6-10 zone the permitted uses and applicable regulations shall be as specified for a RM6 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
4.12.2.10.1	(1)	Semi-detached dwelling on a CEC - private road	
	(2)	A model home	
Regulations			
4.12.2.10.2	A townhouse dwelling on a CEC - private road and a semi detached dwelling on a CEC - private road shall comply with the RM6 zone regulations except that:		
	(1)	the provisions contained in Subsection 2.1.14 and the regulations of Lines 3.1, 3.2, 4.1 and 4.2 contained in Table 4.12.1 of this By-law shall not apply	
	(2)	maximum number of townhouse dwelling units	43
	(3)	maximum number of semi-detached dwelling units on all lands zoned RM6-10	8
	(4)	maximum gross floor area - residential on all lands zoned RM6-10	1.10 times the lot area
	(5)	minimum dwelling unit width in Blocks A, B, C and D	4.57 m
	(6)	minimum dwelling unit width in Blocks E, F, G, H, I, J and K	6.4 m
	(7)	maximum height for a townhouse dwelling	9.0 m
	(8)	maximum height for a semi-detached dwelling	10.7 m
	(9)	maximum encroachment of a planter box, outside of the buildable area identified on Schedule RM6-10 of this Exception, into a front yard and side yard	2.1 m
	(10)	air conditioning units shall only be permitted on a deck area identified on Schedule RM6-10 of this Exception	
	(11)	minimum number of visitor parking spaces per dwelling unit on all lands zoned RM6-10	0.20
	(12)	trailer and recreational vehicle parking shall not be permitted	

4.12.2.10	Exception: RM6-10	Map # 31	By-law:
In a RM6-10 zone the permitted uses and applicable regulations shall be as specified for a RM6 zone except that the following uses /regulations shall apply:			
	<p>(13) minimum width of the paved portion of a CEC - private road may be reduced as identified on Schedule RM6-10 of this Exception</p> <p>(14) minimum width of a CEC - sidewalk 1.2 m</p> <p>(15) in Clause 4.12.2.10.2(9) the yard abutting Mississauga Road shall be deemed to be the front yard in Blocks A and B identified on Schedule RM6-10 of this Exception</p> <p>(16) in Clause 4.12.2.10.2(9) the yard abutting the landscaped area shall be deemed to be the front yard in Blocks C and D identified on Schedule RM6-10 of this Exception</p> <p>(17) "Landscaped Area" means</p> <p>(18) all site development plans shall comply with Schedule RM6-10 of this Exception</p>		
4.12.2.10.3	<p>A model home shall comply with the following:</p> <p>(1) maximum number of dwelling units 11</p> <p>(2) a model home shall only be located in Blocks A, of this Exception</p> <p>(3) a model home shall comply with Sentence 4.12.2.10.2 of this Exception</p> <p>(4) "Model Home" means a townhouse dwelling or semi-detached dwelling on a CEC – private road identified on Schedule RM6-10 of this Exception</p>		



-  **Townhouse Dwellings on a CEC - Private Road**
-  **Semi-Detached Dwellings on a CEC - Private Road**
-  **Deck Area**
-  **Greenbelt**



THIS IS SCHEDULE "RM6-10"
 AS ATTACHED TO SCHEDULE "A"
 BY-LAW NO. _____ PASSED
 BY COUNCIL ON _____, 2008.

CONDITIONS OF APPROVAL

FILE: T-M07004 W8

SUBJECT: Draft Plan of Subdivision
4390 Mississauga Road
West side of Mississauga Road, south of Badminton Drive
City of Mississauga
Dunpar Developments Inc.

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

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

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

- 1.0 Approval of the draft plan applies to the plan dated May 14, 2007.
- 2.0 That the owner agree, in writing, to satisfy all the requirements, financial and otherwise of the City and the Region.
- 3.0 That the applicant/owner shall enter into Servicing, Development and any other necessary agreements, satisfactory to the City, Region or any other appropriate authority, prior to ANY development within the plan. These agreements may deal with matters including, but not limited to, the following: engineering matters such as municipal services, road widenings, construction and reconstruction, signals, grading, fencing, noise mitigation, and warning clauses; financial issues, such as cash contributions, levies (development charges), land dedications or reserves, securities, or letters of credit; planning matters such as residential reserve blocks, buffer blocks, site development plan and landscape plan approvals and conservation. THE DETAILS OF THESE REQUIREMENTS ARE CONTAINED IN COMMENTS IN RESPONSE TO THE CIRCULATION OF THE PLAN FROM AUTHORITIES, AGENCIES, AND DEPARTMENTS OF THE CITY AND REGION WHICH HAVE BEEN FORWARDED

TO THE APPLICANT OR HIS CONSULTANTS, AND WHICH COMMENTS FORM PART OF THESE CONDITIONS.

- 4.0 All processing and administrative fees shall be paid prior to the registration of the plan. Such fees will be charged at prevailing rates of approved City and Regional Policies and By-laws on the day of payment.
- 5.0 The applicant/owner shall agree to convey/dedicate, gratuitously, any required road or highway widenings, 0.3 m (1 ft.) reserves, walkways, sight triangles, buffer blocks, utility or drainage easements and conservation lands (Block 4) to the satisfaction of the City, Region or other authority.
- 6.0 The applicant/owner shall provide all outstanding reports, plans or studies required by agency and departmental comments.
- 7.0 That a Zoning By-Law for the development of these lands shall have been passed under Section 34 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, and be in full force and effect prior to registration of the plan.
- 8.0 Prior to final approval, the Engineer is required to submit, to the satisfaction of the Region, all engineering drawings in Micro-Station format as set out in the latest version of the Region of Peel "Development Procedure Manual".
- 9.0 Prior to final approval or preservicing, the developer will be required to monitor wells, subject to the homeowner's permission, within the zone of influence, and to submit results to the satisfaction of the Region.
- 10.0 Prior to final approval, the City 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.
- 11.0 Prior to final approval, the Dufferin-Peel Catholic District School Board is to be satisfied that the applicant has agreed to include in the Development Agreement and all offers of purchase and sale for all residential lots, the following warning clauses until the permanent school for the area has been completed:
 - 11.1 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 students may be accommodated in temporary facilities and/or bussed to a school outside of the neighbourhood, and further, that students may later be transferred to the neighbourhood school.
 - 11.2 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.
- 12.0 That the Development Agreement shall contain a clause satisfactory to the Dufferin-Peel Catholic District School Board that the developer will 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 Policies. These signs shall be to the School Board's specifications and at locations determined by the Board.

- 13.0 Prior to final approval, the Peel District School Board is to be satisfied that the following provision is contained in the Development Agreement and on all offers of purchase and sale for a period of five years after registration of the plan:
 - 13.1 Whereas, despite the efforts of the Peel District School Board, sufficient accommodation may not be available for all anticipated students in neighbourhood schools, you are hereby notified that some students may be accommodated in temporary facilities or bussed to schools outside of the area, according to the Board's Transportation Policy. You are advised to contact the Planning and Resources Department of the Peel District School Board to determine the exact schools.
- 14.0 That the Development Agreement shall contain a clause satisfactory to the Peel District School Board that the developer will 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 Policies. These signs shall be to the School Board's specifications and at locations determined by the Board.
- 15.0 Prior to final approval, Credit Valley Conservation requires the following:
 - 15.1 That the Zoning By-Law shall contain provisions which will place Block 4 (the Block adjacent to the Mullett Creek Valley Corridor) in an appropriately restrictive G1 (Greenbelt) zoning category.
 - 15.2 That prior to any grading or servicing associated with the proposed development, or the clearance of the final engineering submission by Credit Valley Conservation, the owner shall prepare to the satisfaction of CVC:
 - a) An Environmental Impact Statement prepared by a qualified professional in accordance with the scoped Terms of Reference dated October 27, 2006;
 - b) A detailed Restoration Plan prepared by a qualified landscape architect or other qualified professional for all disturbed areas and all areas to be planted (e.g. buffers, outfall, valley corridor, bio-retention cells, etc.) in accordance with the mitigation/compensation measures identified in the satisfactory revised Environmental Impact Statement (see Condition 15.2 (a) above);
 - c) A satisfactory Functional Servicing Report prepared by a qualified professional;
 - d) A detailed Stormwater Management Implementation Report and associated engineering plans prepared by a qualified professional describing the means whereby stormwater will be conducted from the site to a receiving body in

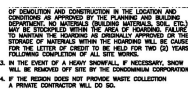
accordance with the satisfactory Functional Servicing Report (see Condition 15.2 (c) above); and,

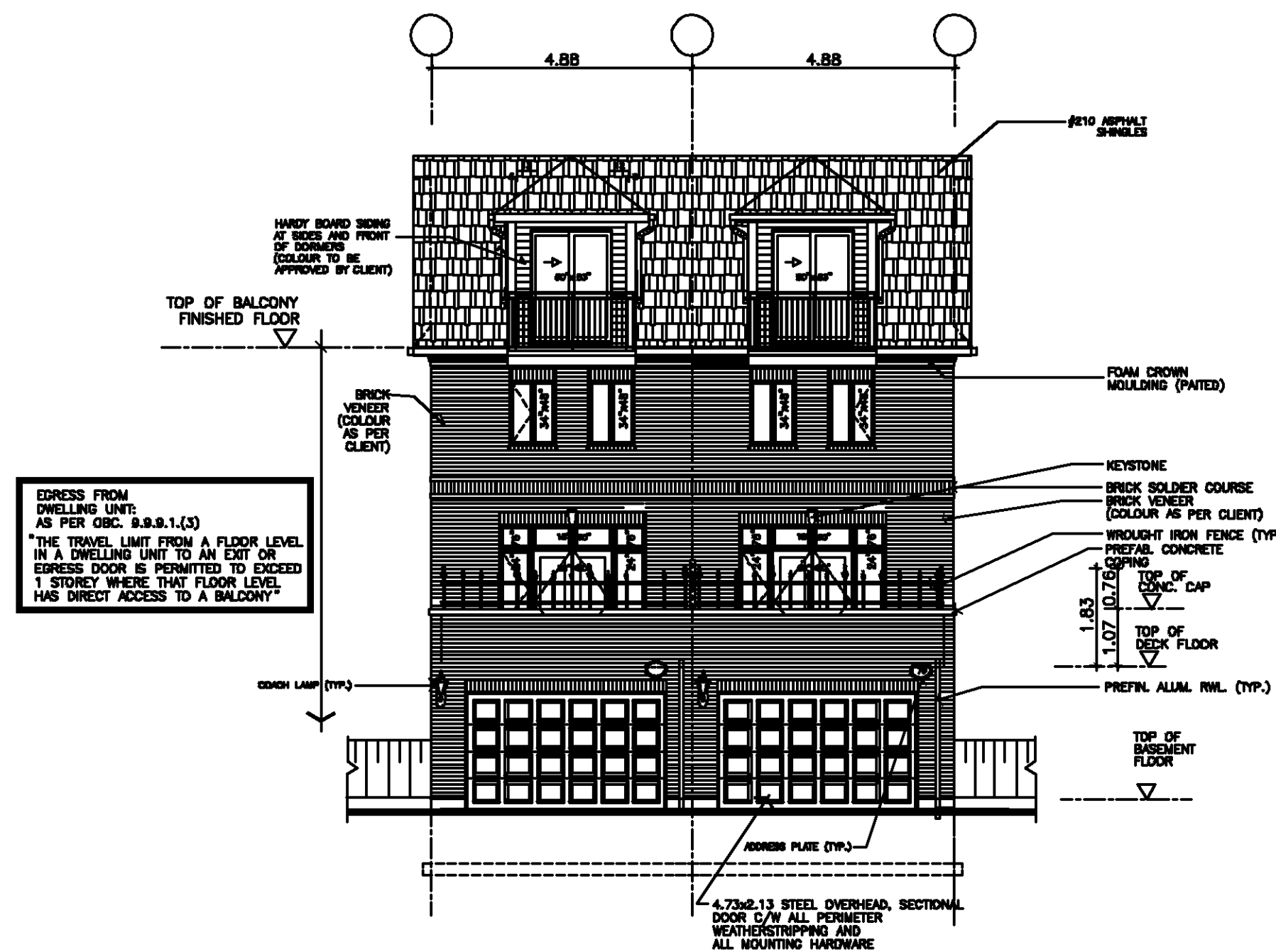
- e) Detailed engineering plans prepared by a qualified professional identifying grading works and the appropriate sediment and erosion control measures to be implemented and maintained during construction.
- 15.3 That the Servicing/Development Agreement contain wording acknowledging that prior to issuance of Site Plan Approval for any individual lot or block on the subject lands, the Owner shall prepare a comprehensive Operation, Maintenance, and Monitoring Manual prepared by a qualified professional for the stormwater management infrastructure proposed on condominium-owned land specifying among other things the frequency of maintenance/sediment removal for the stormwater management infrastructure.
 - 15.4 That prior to the issuance of Site Plan Approval on individual Blocks, confirmation is received from a qualified professional indicating that the servicing works have been substantially constructed in accordance with the approved engineering plans to the extent that it is operational.
 - 15.5 That a permit be received from Credit Valley Conservation pursuant to Ontario Regulation 160/06 for any development within the regulated areas associated with Mullet Creek, including the servicing works, the outfall, and the associated grading works.
 - 15.6 That the final Plan of Subdivision be revised to incorporate any changes to the Plan resulting from the above-noted conditions.
 - 15.7 That the Servicing Agreement between the Owner and the Municipality contain provisions, wherein the Owner agrees to carry out or cause to carry out the works or actions noted in the above conditions.
- 16.0 That prior to preparation of the detailed Restoration Plan referenced in Condition 15.2 (b) above, the owner's consultant is to receive approval of terms of reference by the City and the CVC.
 - 17.0 Prior to preservicing and/or execution of the Servicing Agreement, the developer shall name to the satisfaction of the City Transportation and Works Department the telecommunications provider.
 - 18.0 Prior to the execution of the Servicing Agreement, the owner/developer shall agree, in words satisfactory to Bell Canada, to grant Bell Canada any easements that may be required for telecommunications services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the owner/developer shall be responsible for the relocation of such facilities or easements.
 - 19.0 Bell Canada requires one or more conduit or conduits of sufficient size form each unit to the rooms in which the telecommunication facilities are situated and one or more

conduits from the rooms in which the telecommunications facilities are located to the street line.

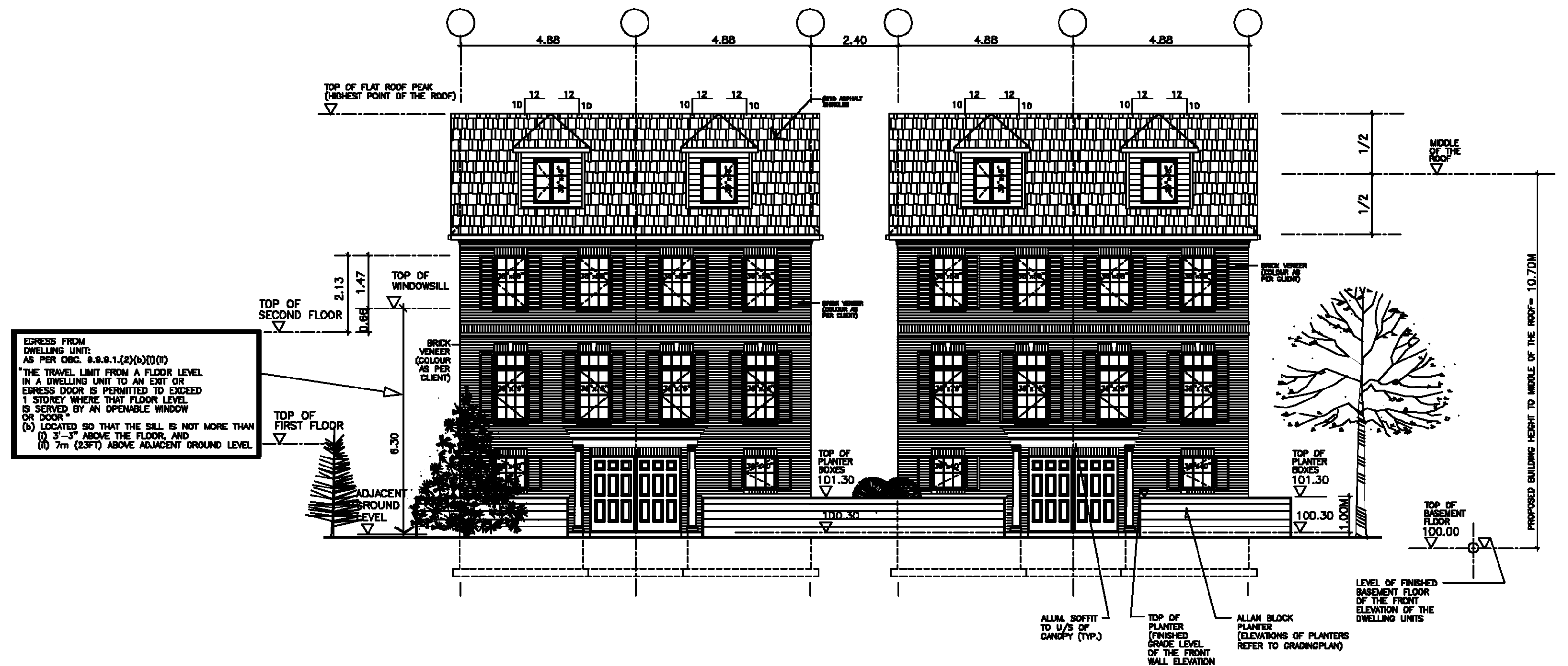
- 20.0 Prior to execution of the Servicing Agreement, the developer must submit in writing, evidence to the Commissioner of the City Transportation and Works Department, that satisfactory arrangements have been made with the telecommunications provider, Cable TV and Hydro for the installation of their plant in a common trench, within the prescribed location on the road allowance.
- 21.0 Prior to final approval, a clearance letter from the Ministry of Culture indicating that a satisfactory archaeological assessment has been received and all archaeological resource concerns, if any, have satisfied licensing and resource conservation requirements.
- 22.0 Prior to signing of the final plan, the Commissioner of Planning and Building is to be advised that all of the above noted conditions have been carried out to the satisfaction of the appropriate agencies and the City.

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



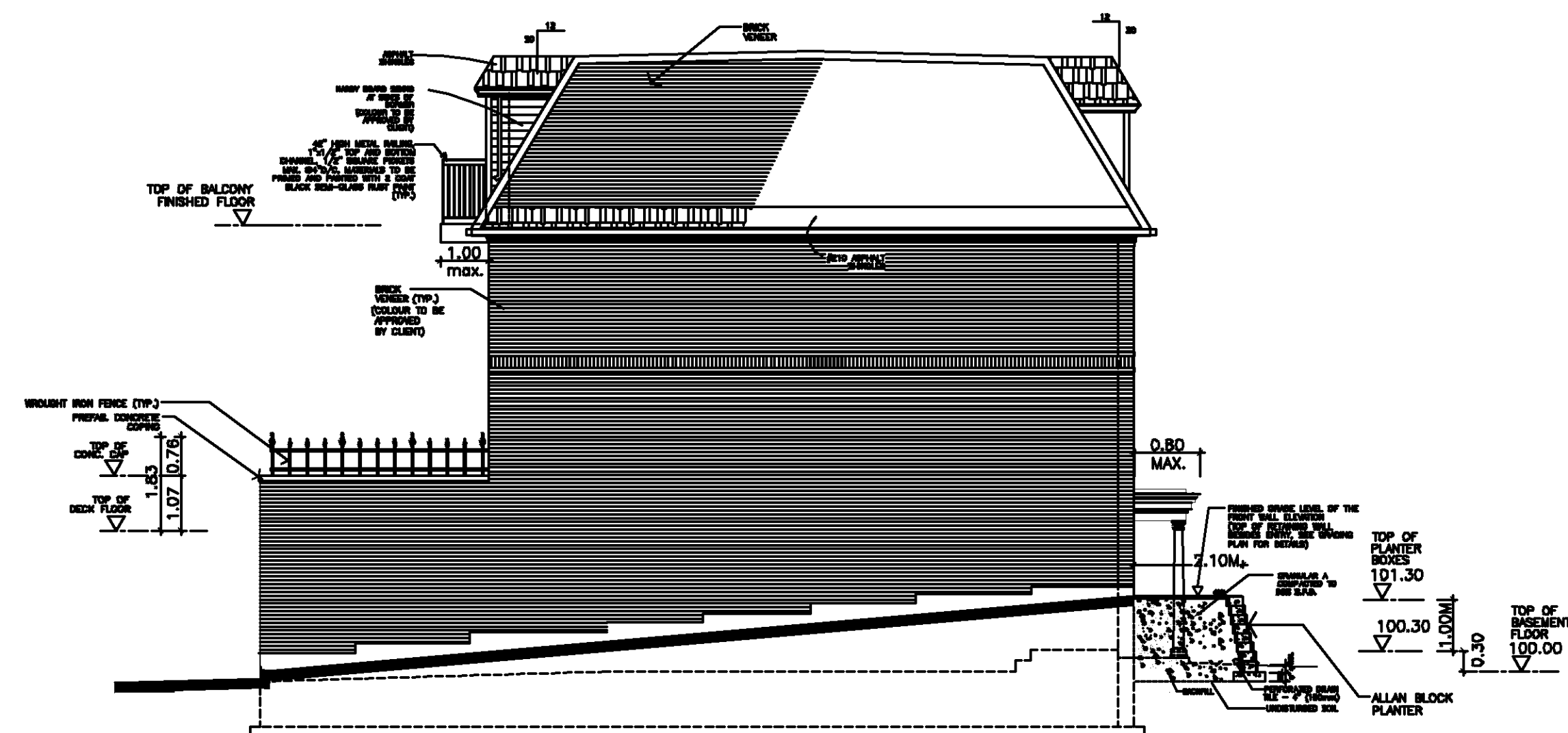


TYP. REAR ELEVATION
SCALE 1:100

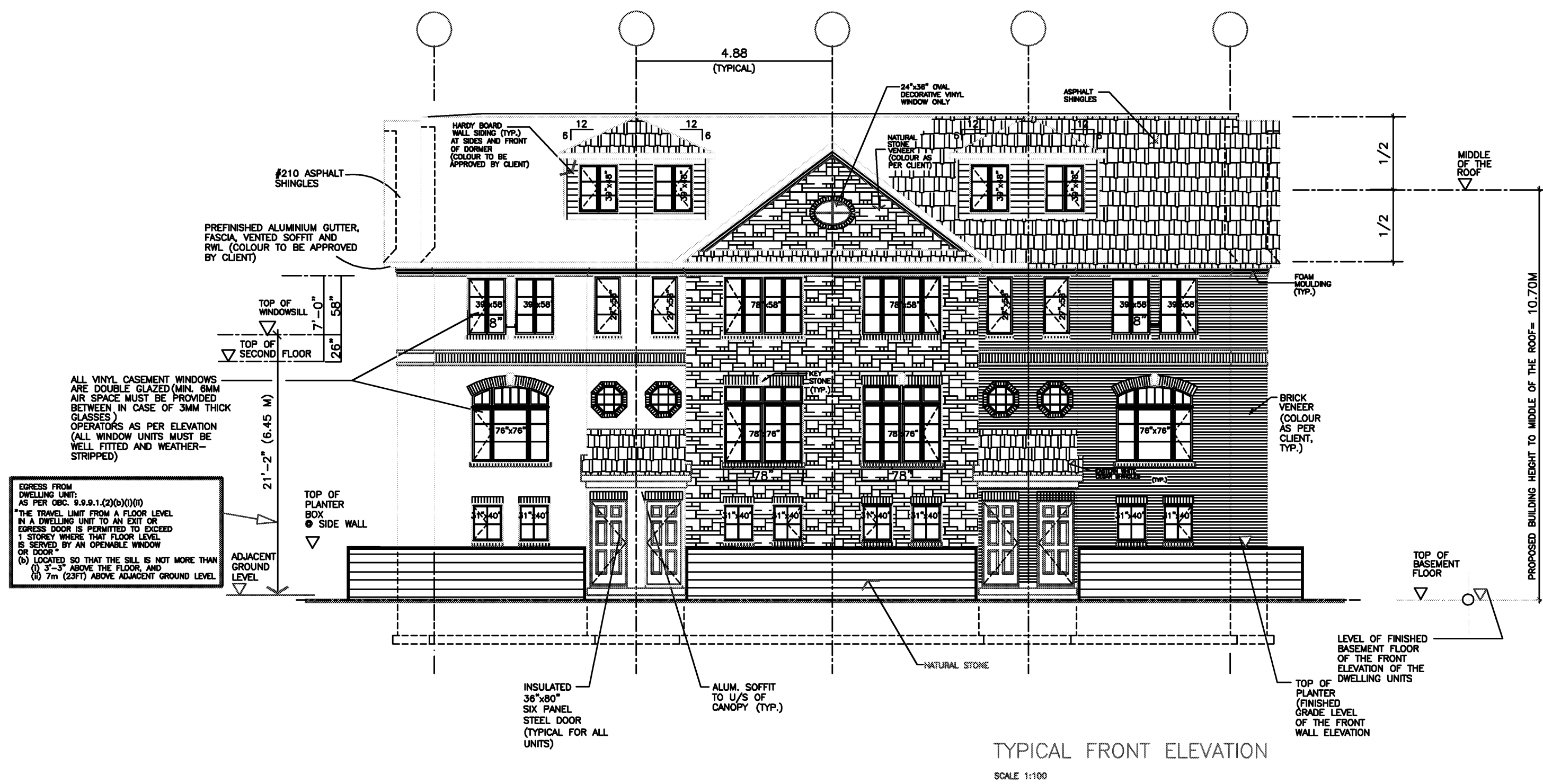
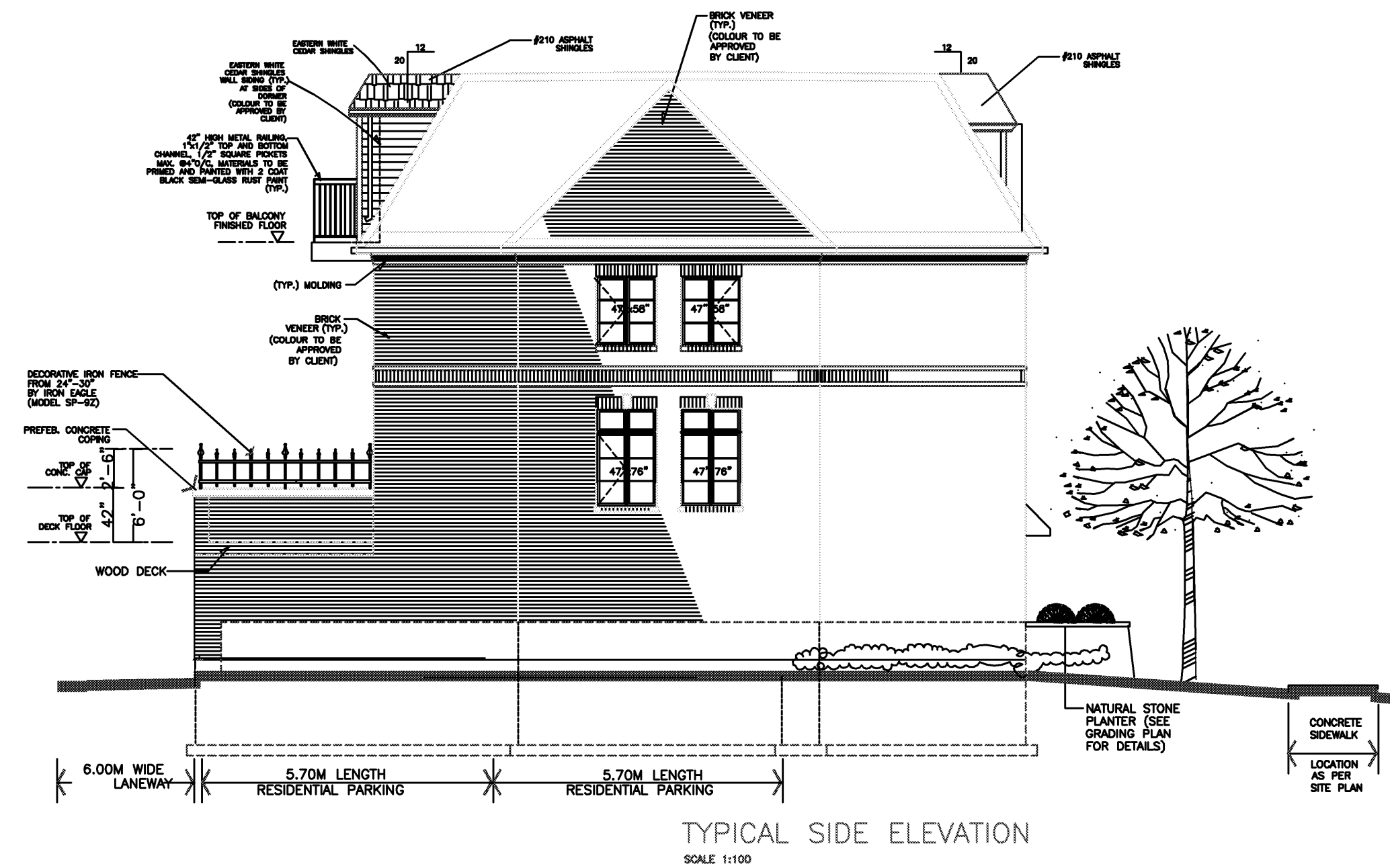
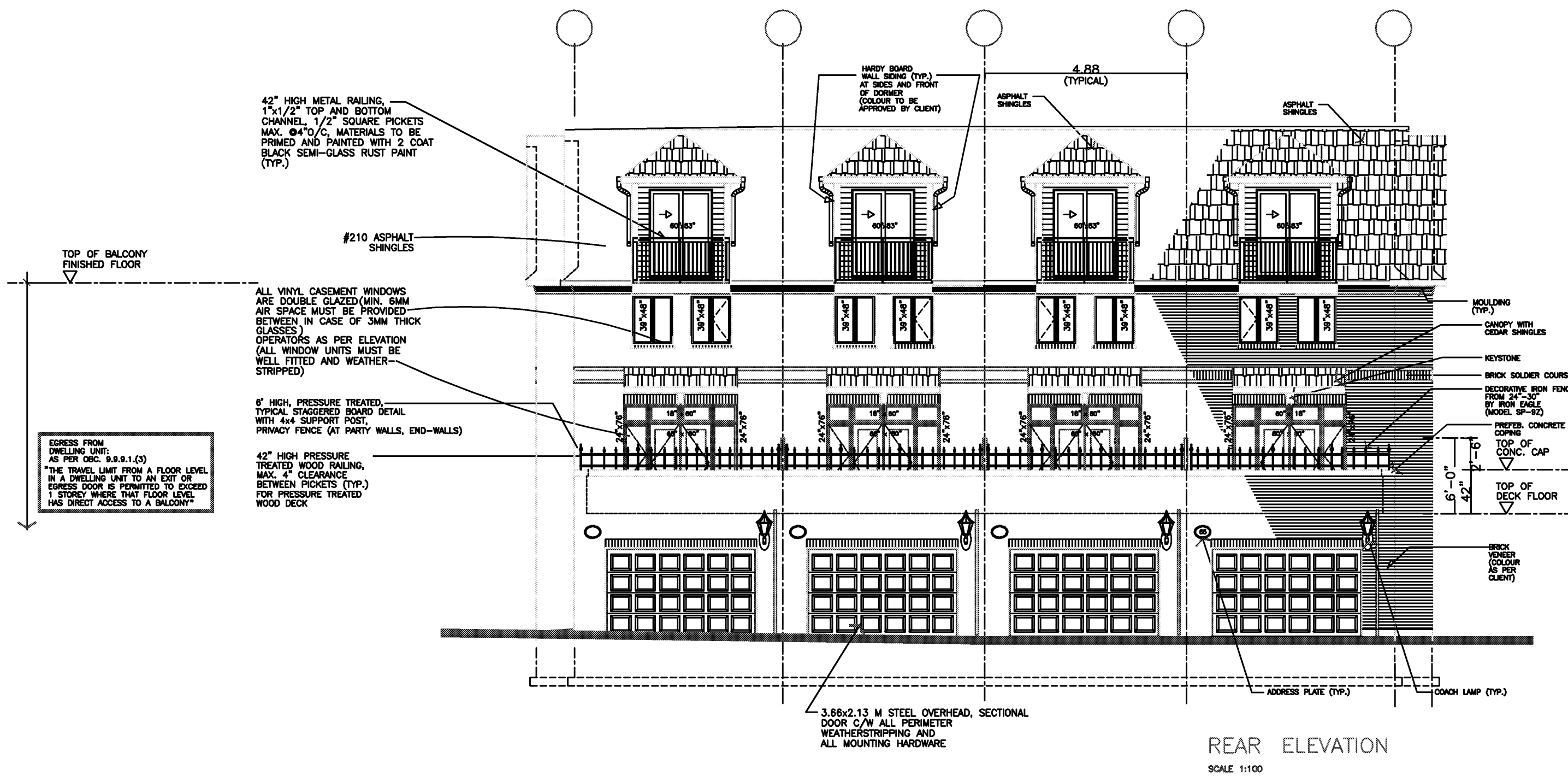


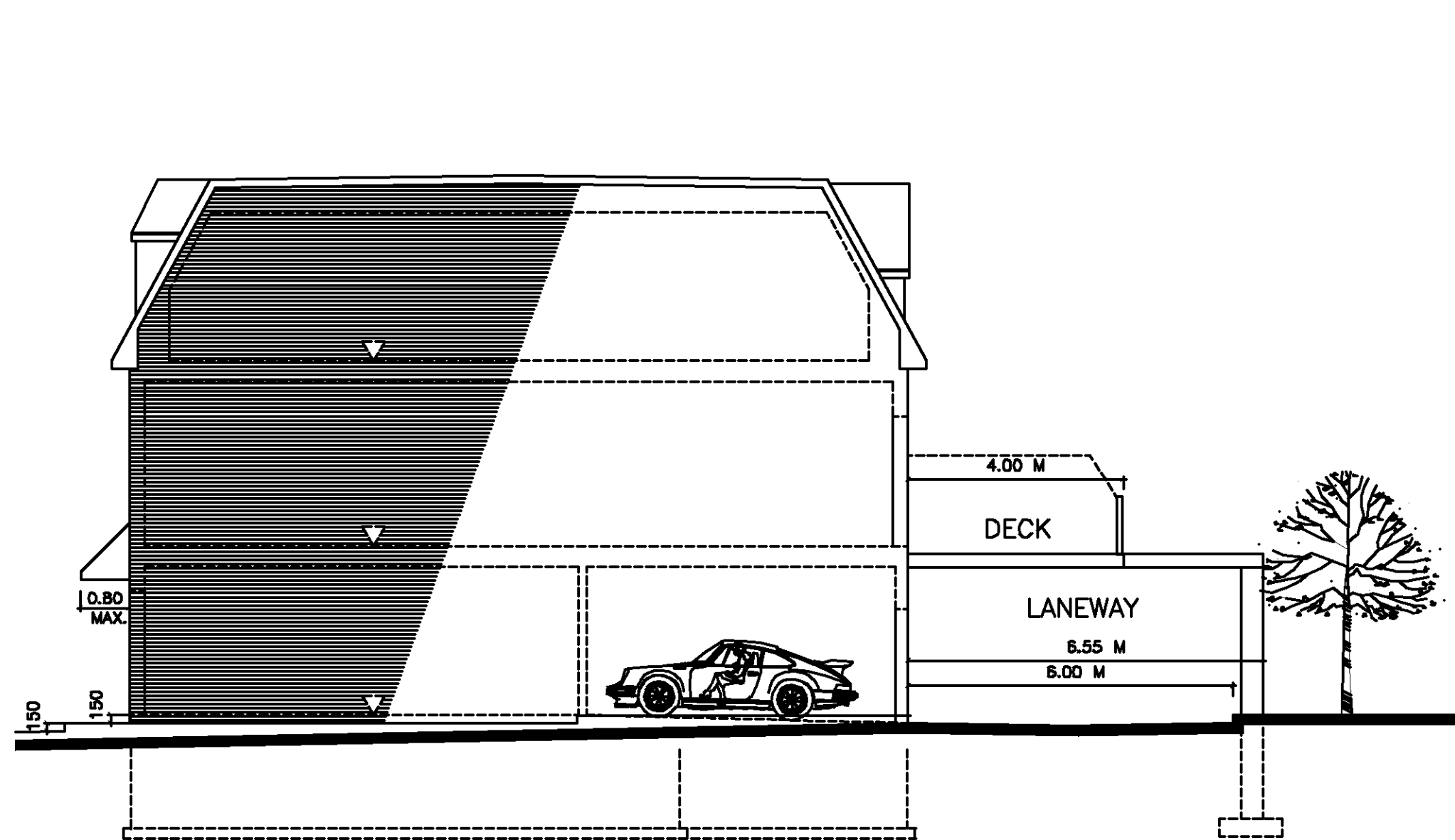
TYPICAL (FRONT) ELEVATION
SCALE 1:100

SEMI DETACHED DWELLINGS

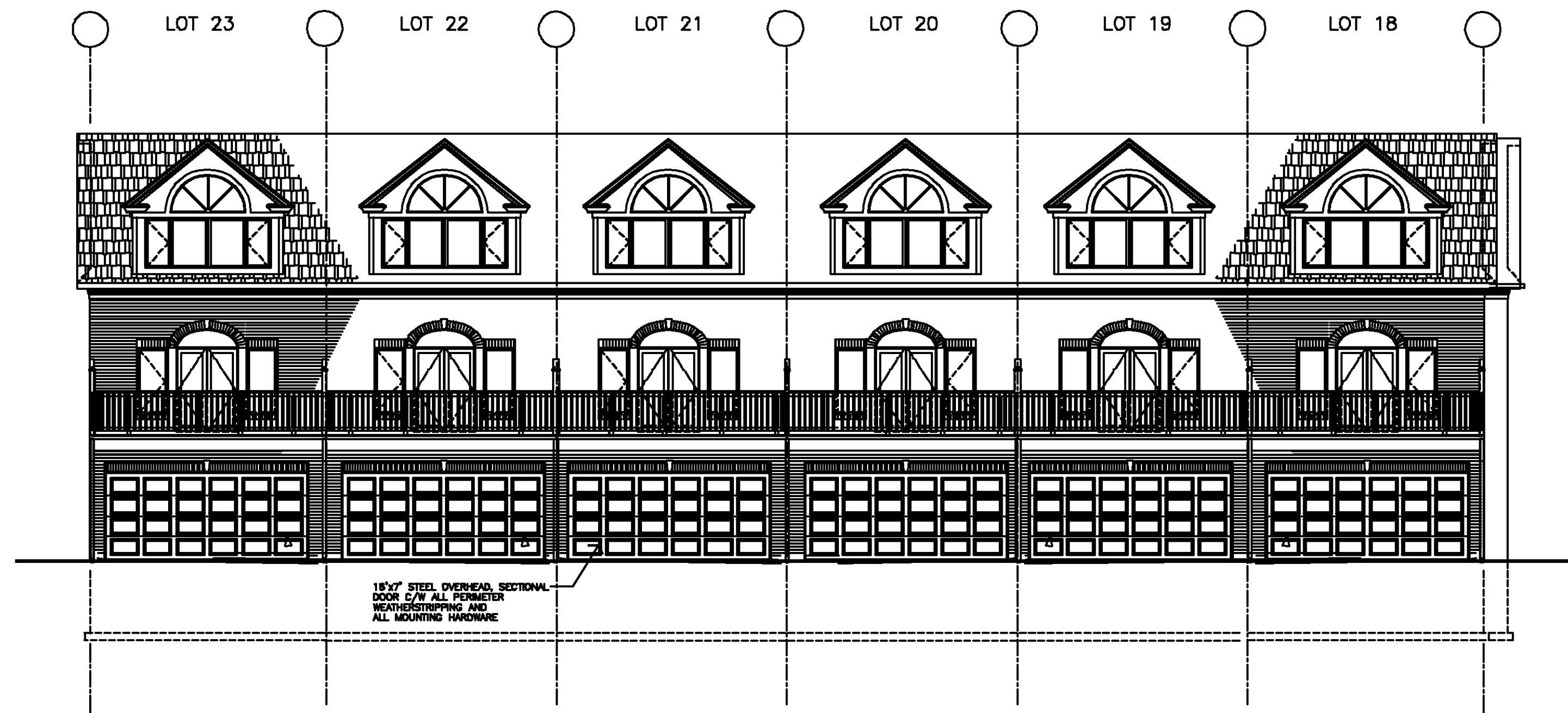


TYPICAL INTERNAL SIDE ELEVATION
SCALE 1:100

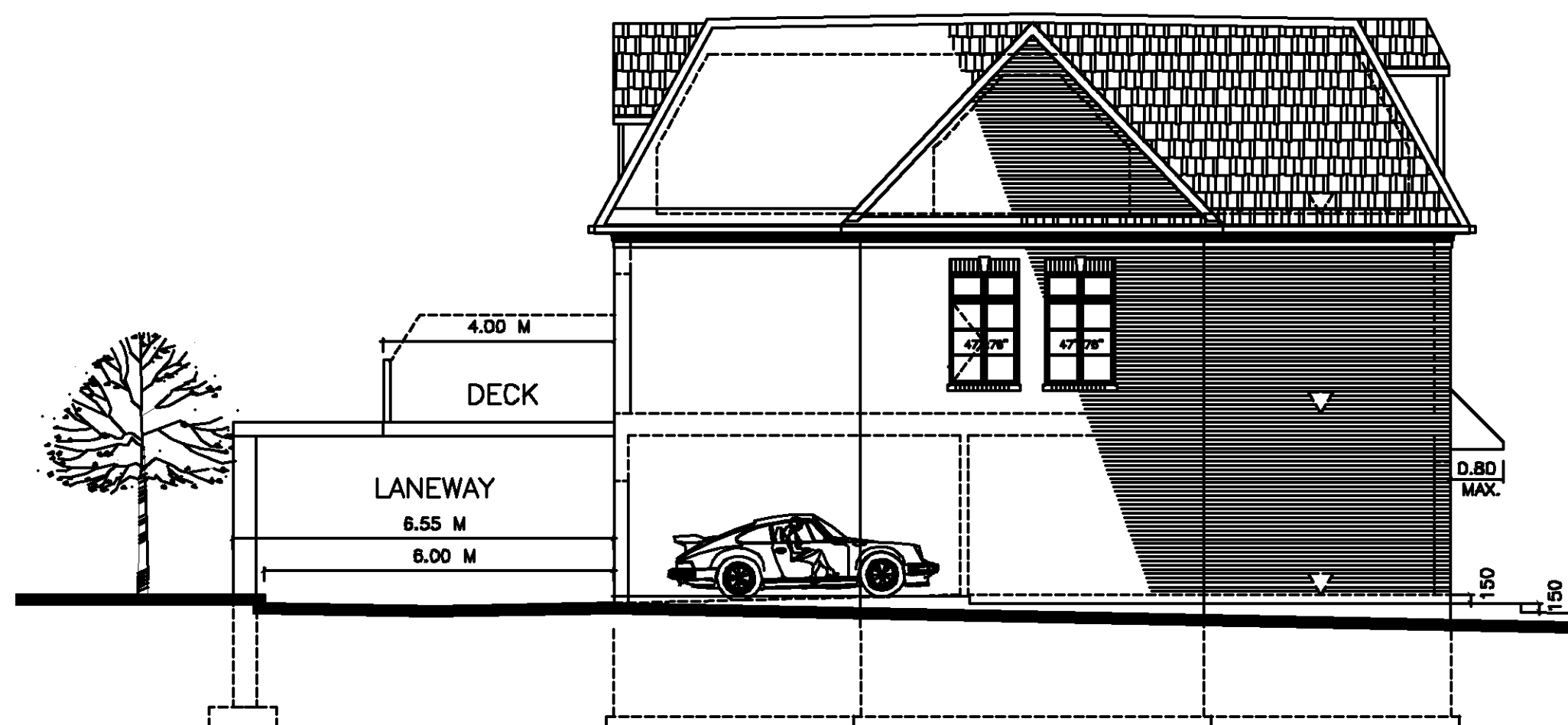




SIDE (SOUTH) ELEVATION
SCALE 1:100



REAR (EAST) ELEVATION
SCALE 1:100



SIDE (NORTH) ELEVATION
SCALE 1:100

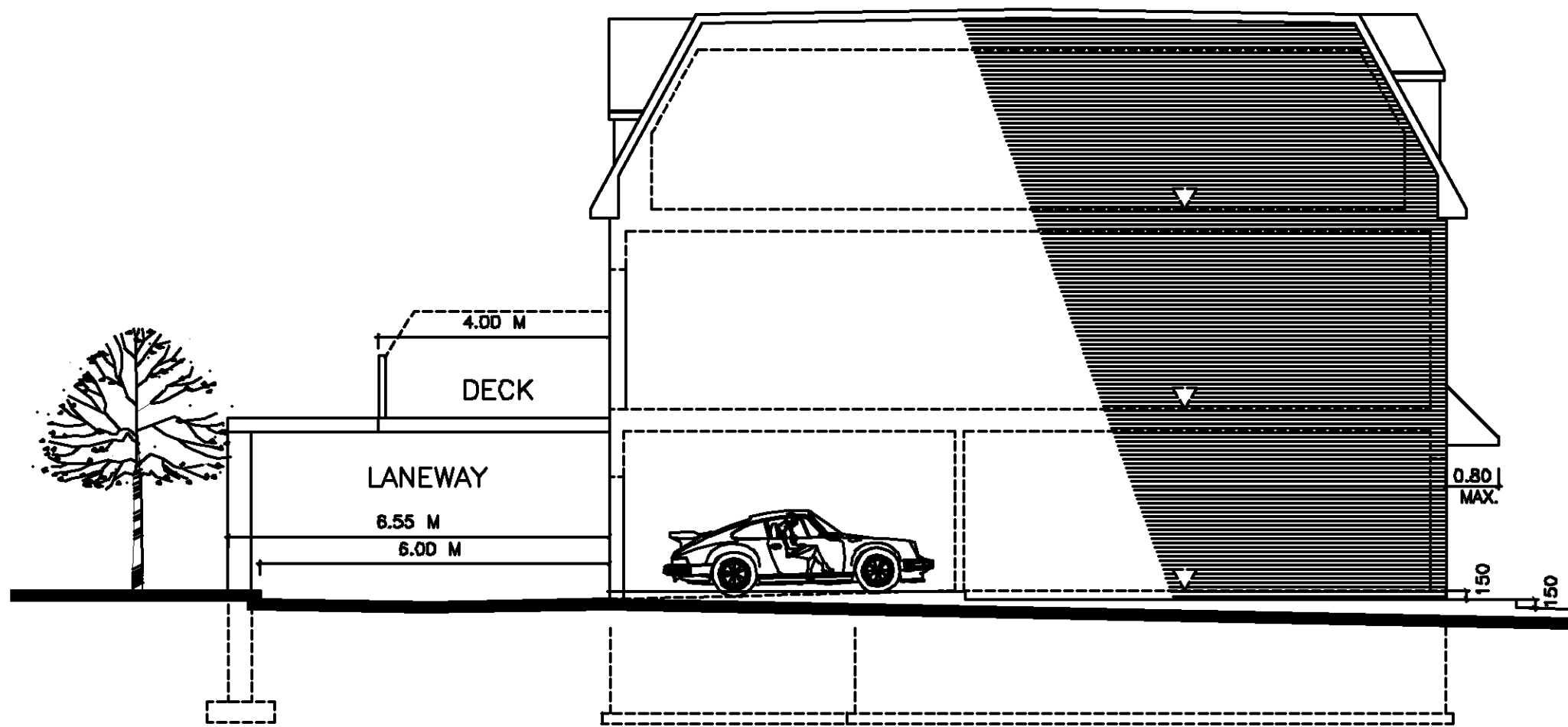


FRONT (WEST) ELEVATION
SCALE 1:100

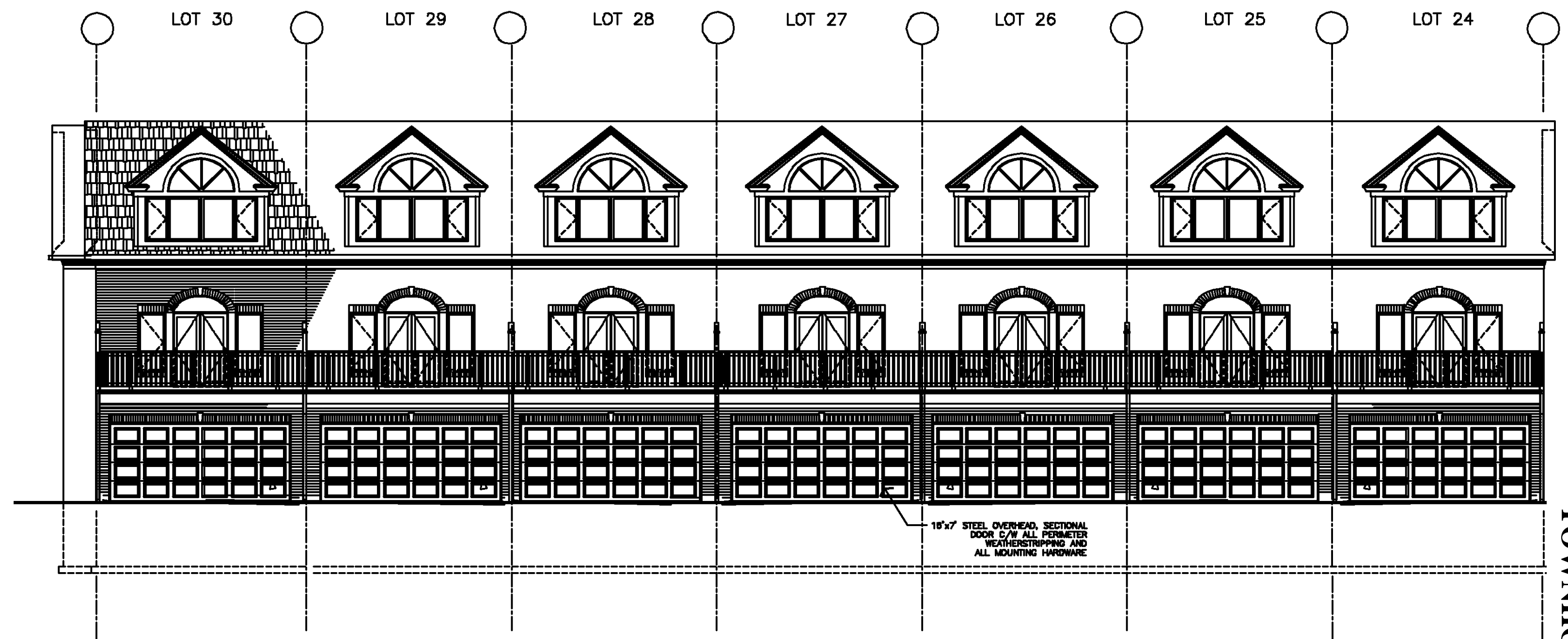
PROPOSED BUILDING HEIGHT TO RIDGE OF THE ROOF - 9.00 M

1/2
1/2

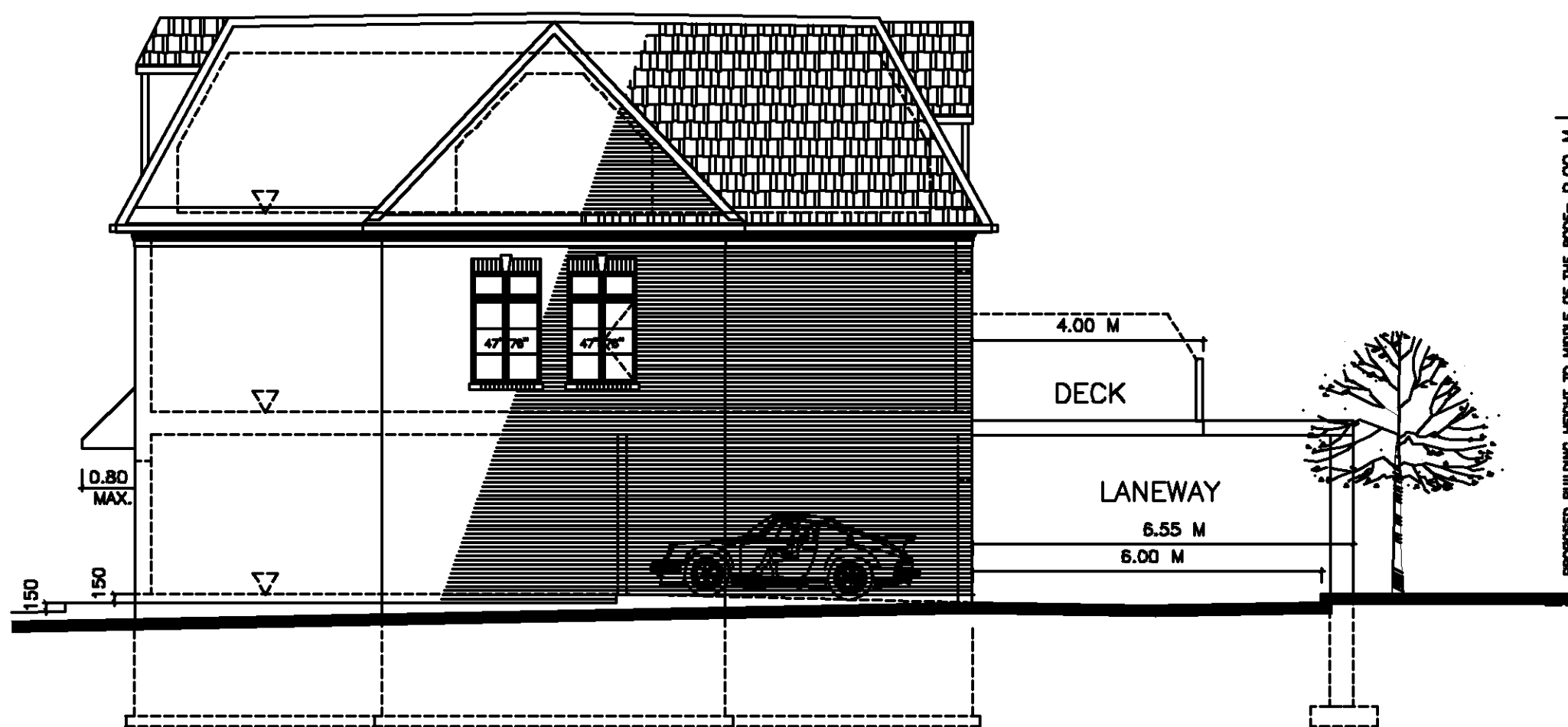
LEVEL OF FIN
FIRST FLOOR
OF THE FIRST
ELEVATION OF
DWELLING UNIT



SIDE (NORTH) ELEVATION
SCALE 1:100



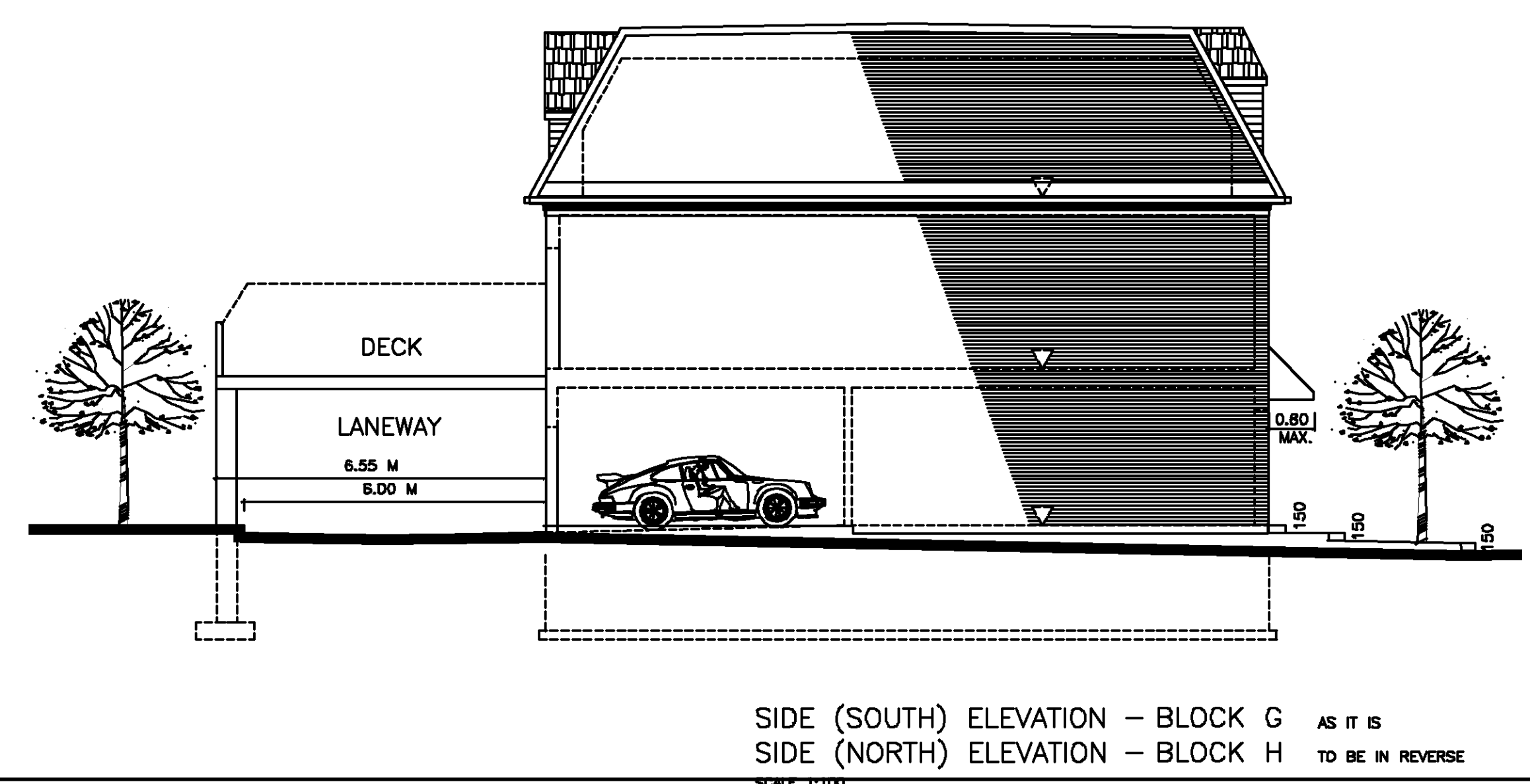
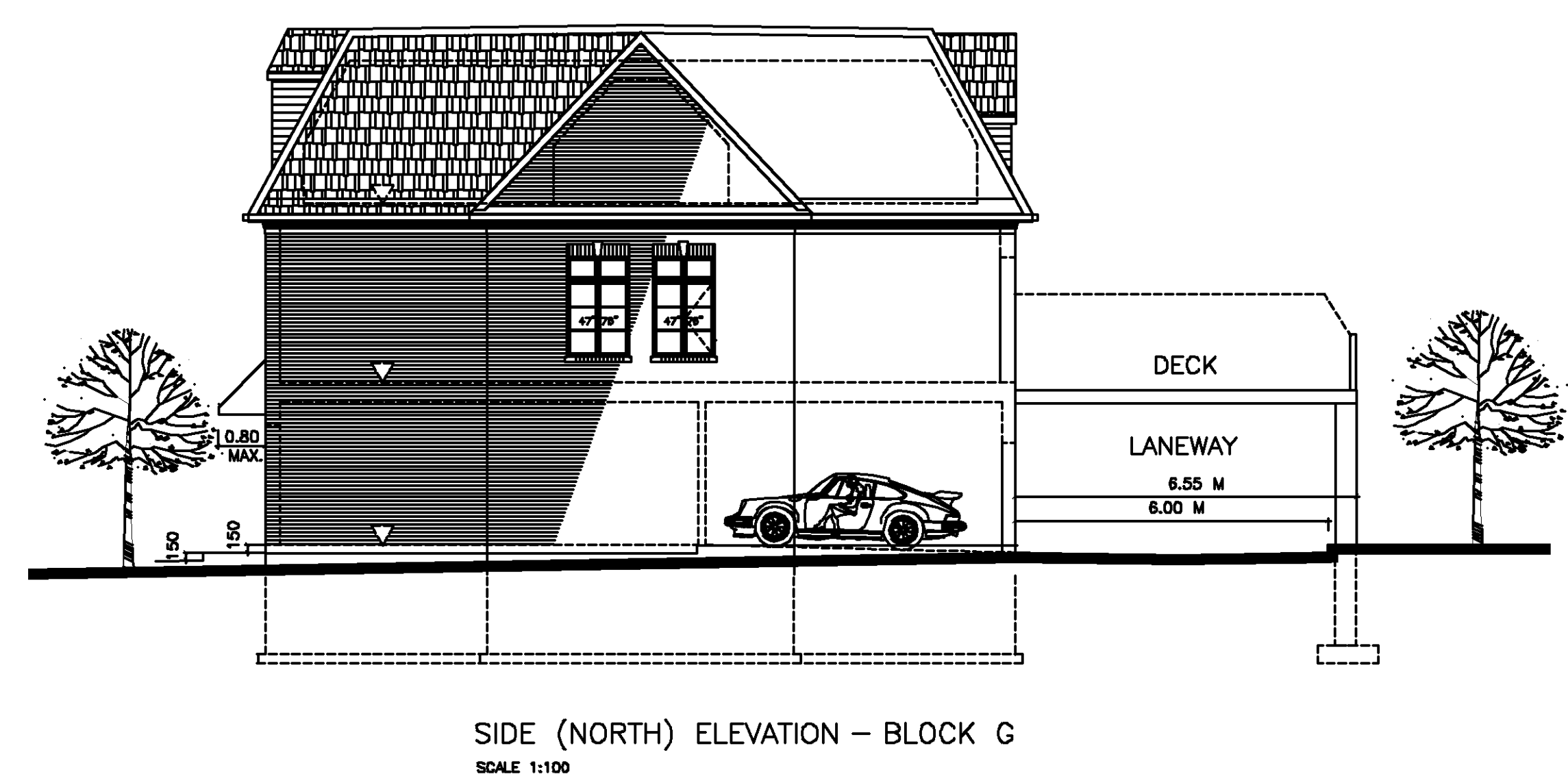
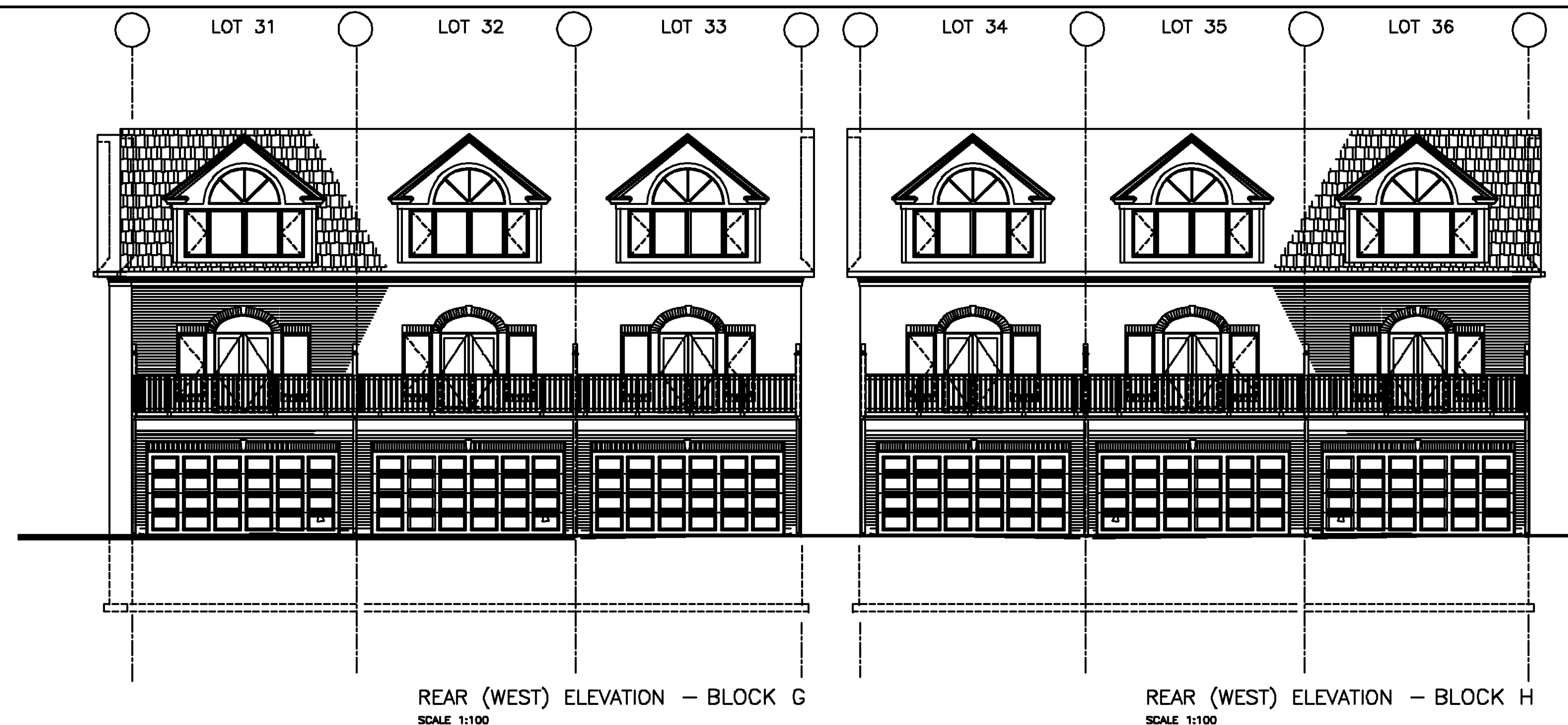
REAR (EAST) ELEVATION
SCALE 1:100

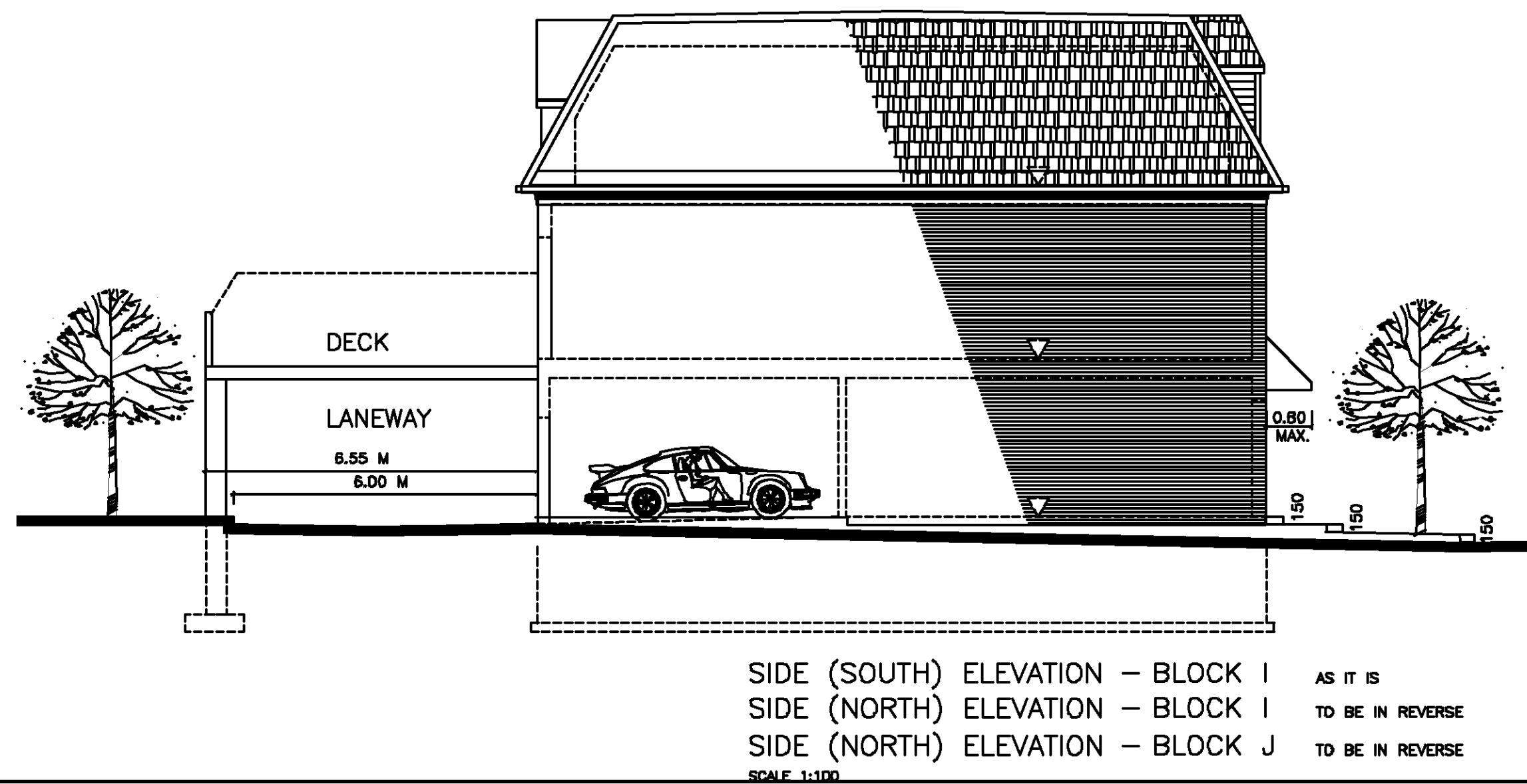
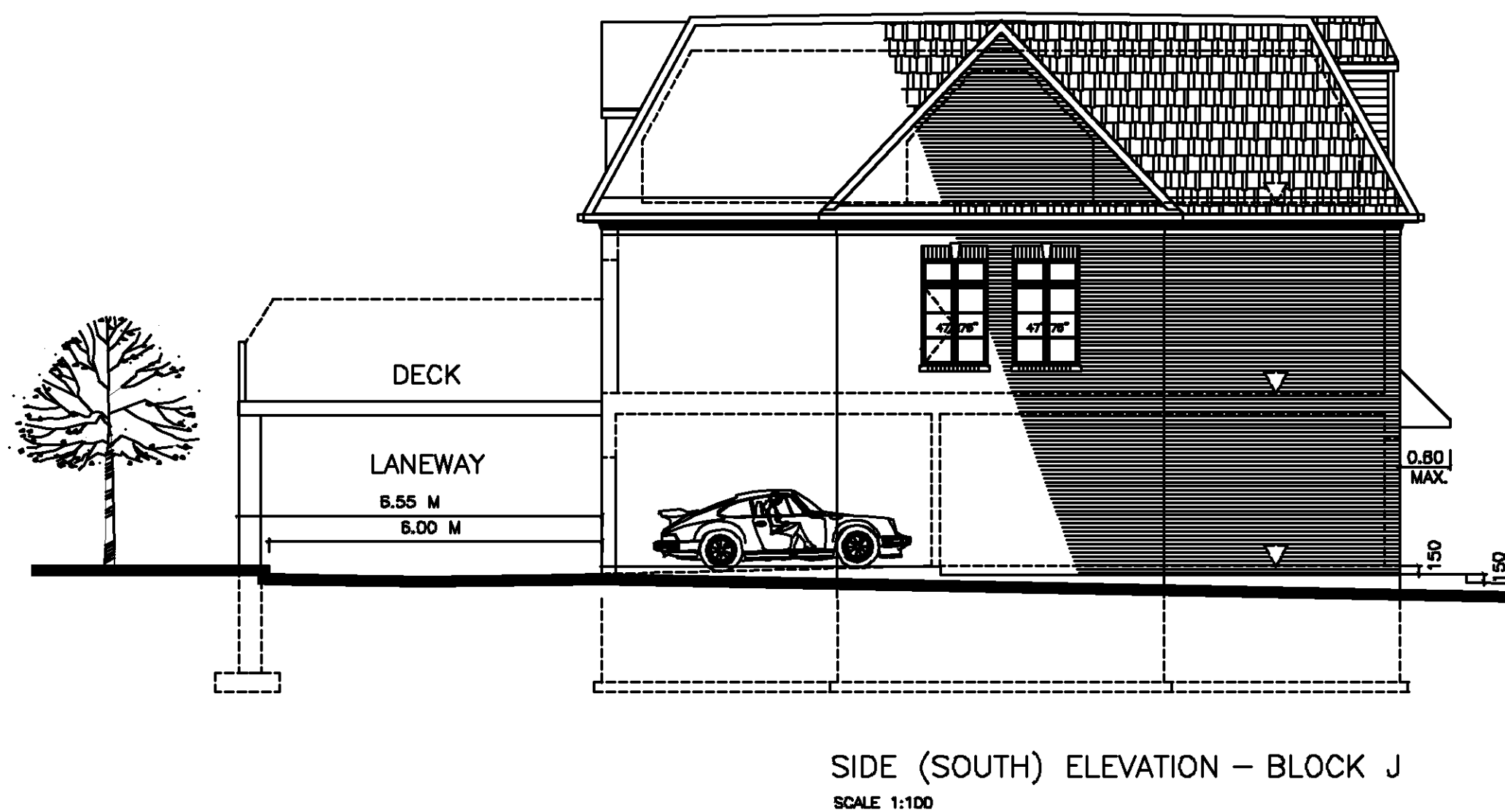
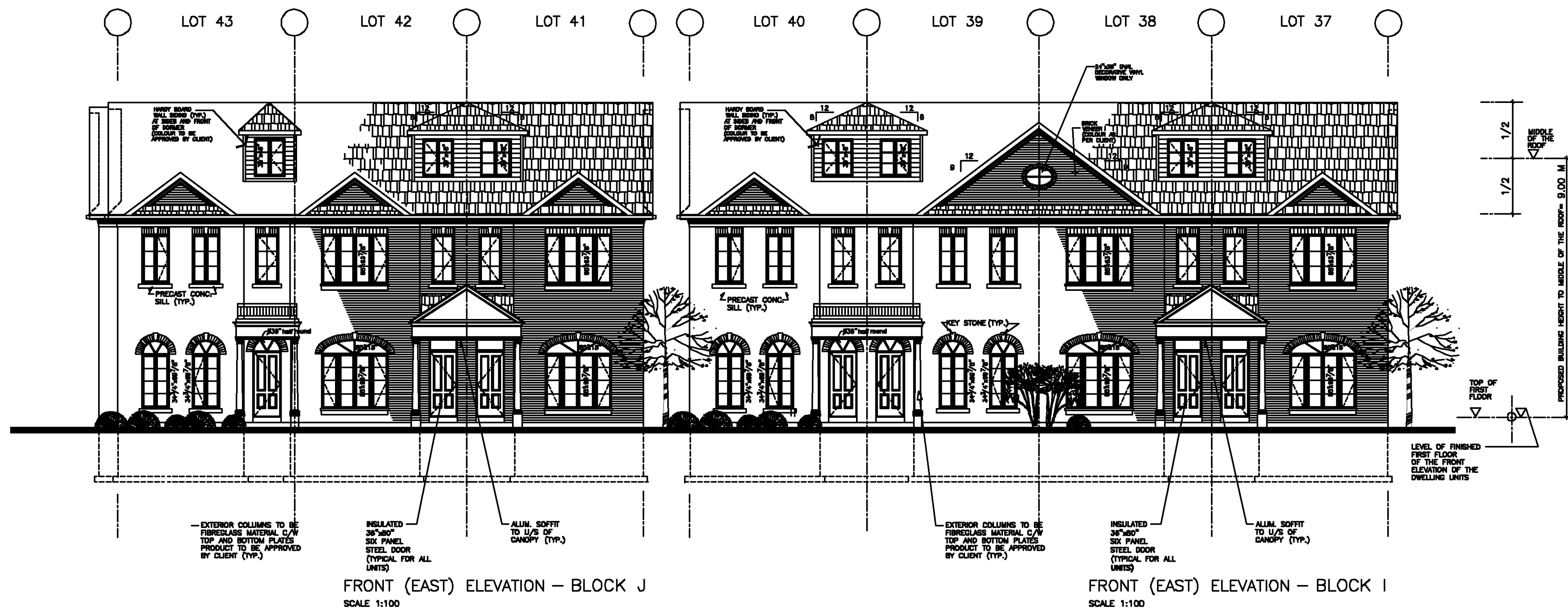
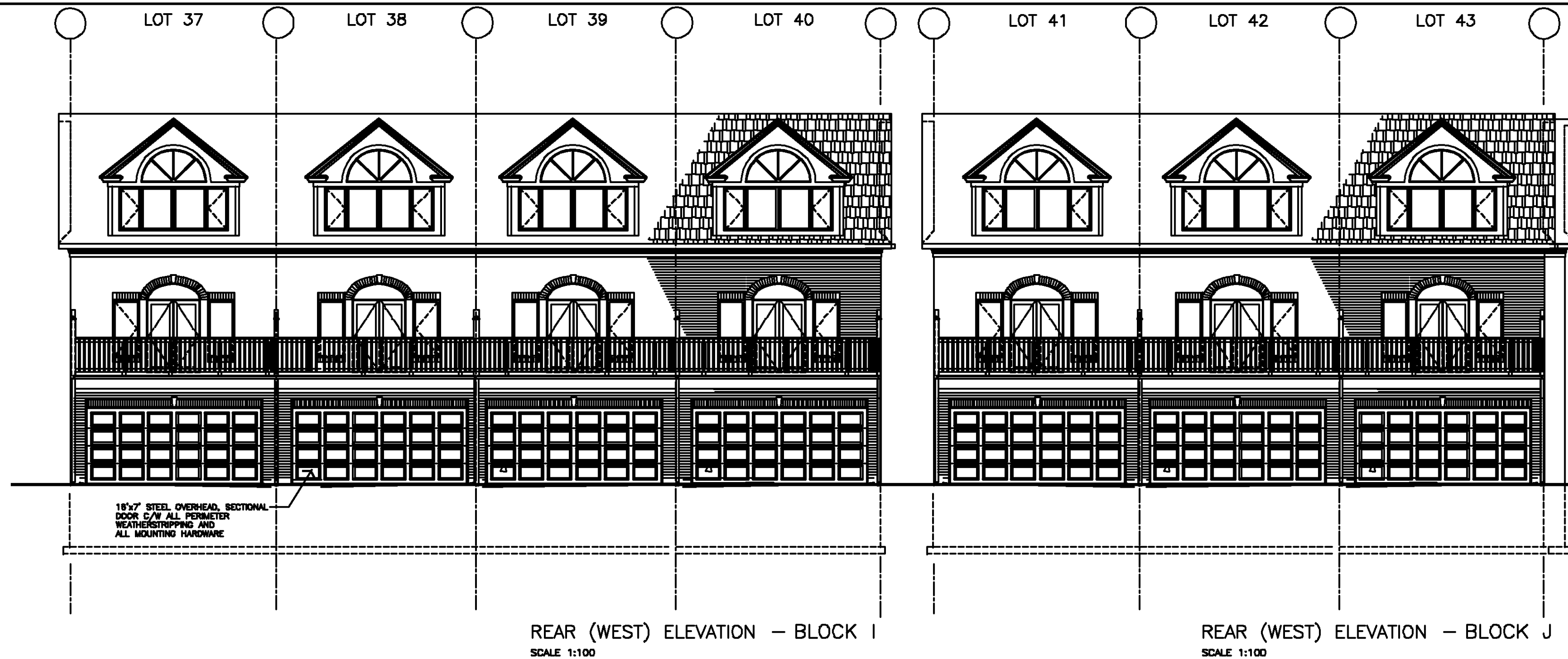


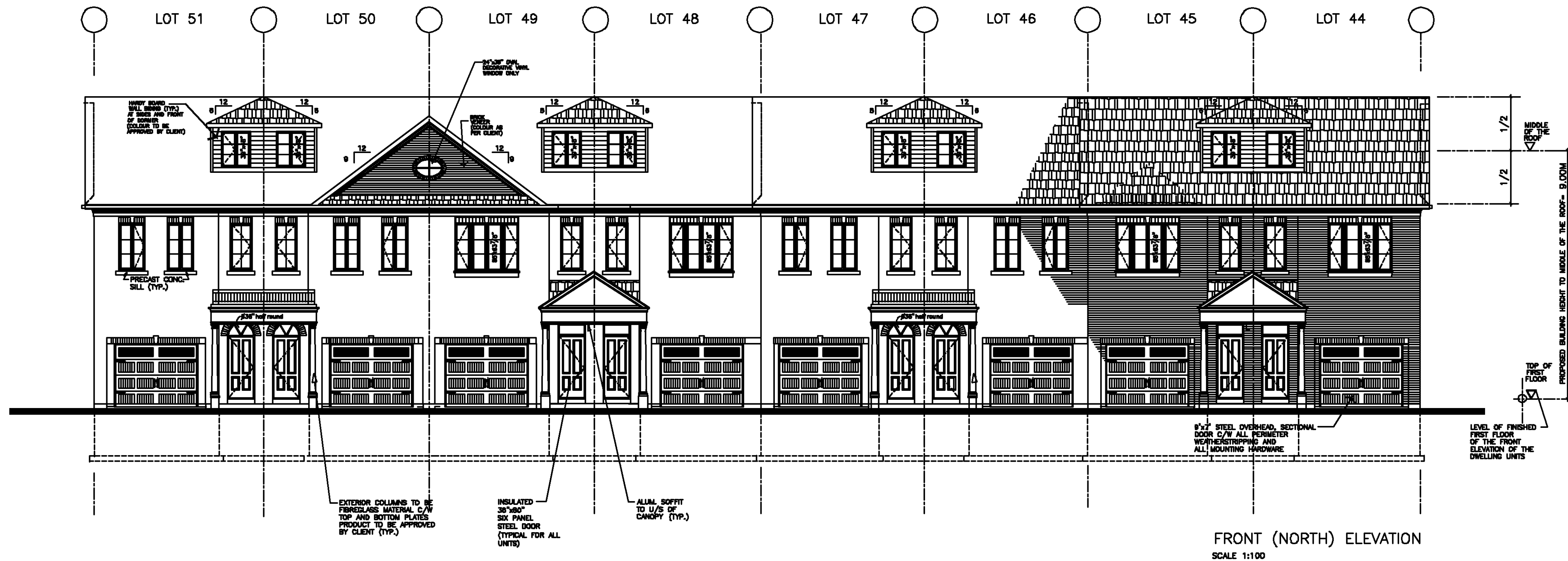
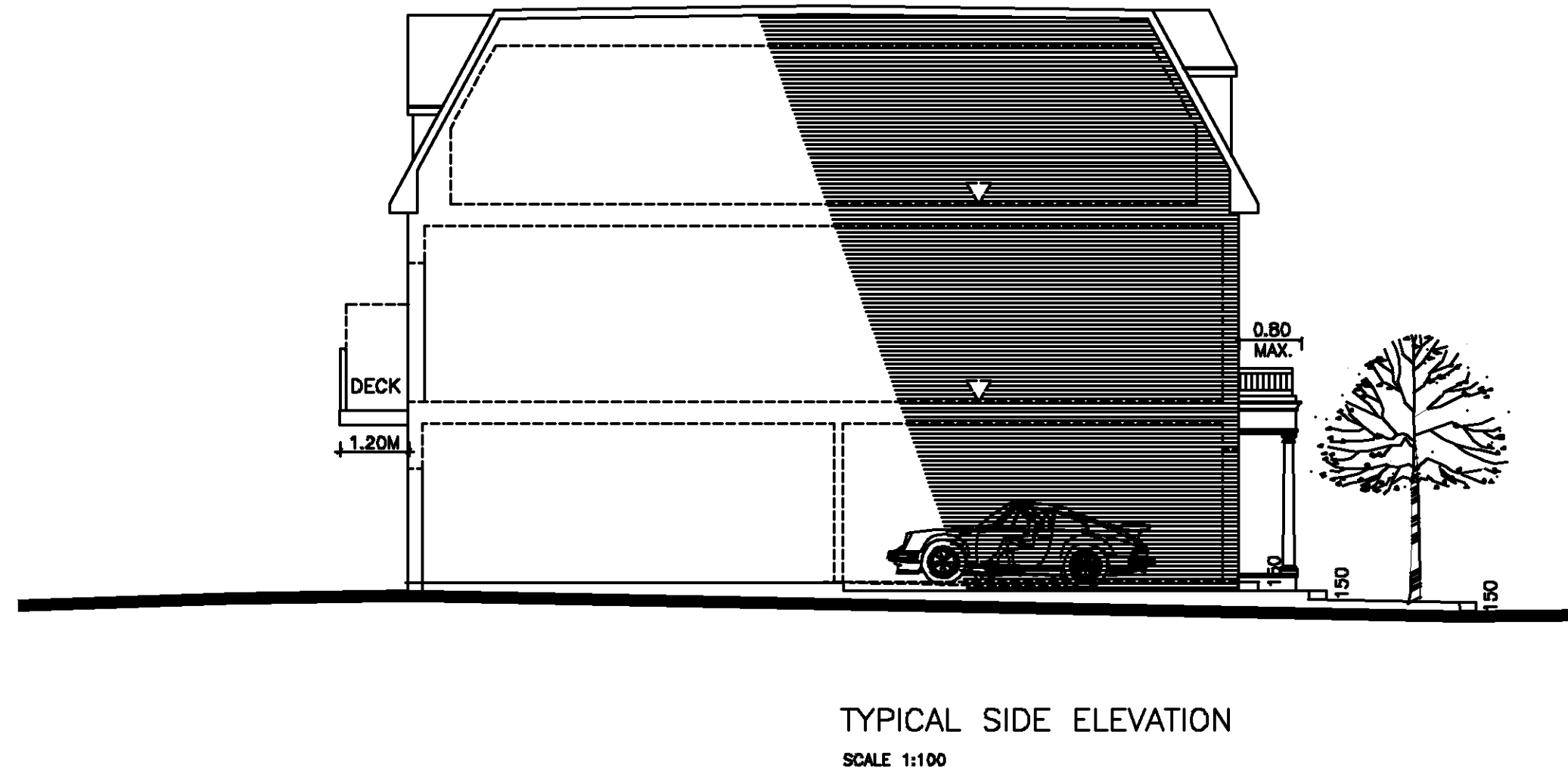
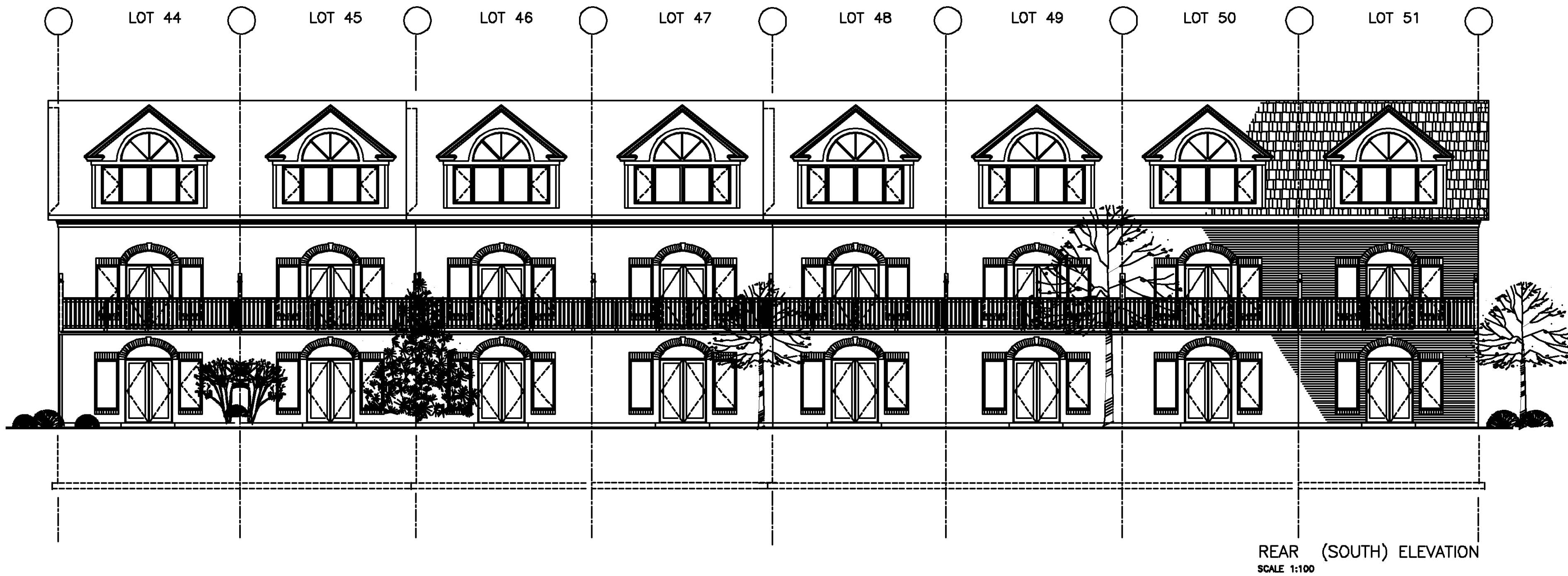
SIDE (SOUTH) ELEVATION
SCALE 1:100



FRONT (WEST) ELEVATION
SCALE 1:100







NO.	REVISIONS	DATE	BY
5	REVISED FOR ZONING APPROVAL	JAN. 08 /2008	OP
4	REVISED FOR ZONING APPROVAL	NOV. 27 /2007	OP
3	REVISED FOR ZONING APPROVAL	MAY 02 /2007	OP
2	REVISED FOR ZONING APPROVAL	JULY 28 /2006	OP
1	ISSUED FOR ZONING APPROVAL	FEB. 24 /2006	OP

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES TO OP DESIGN INC. BEFORE PROCEEDING WITH THE WORK. DO NOT SCALE THE DRAWINGS.

PROJECT: 8-UNIT SEMIDETACHED DWEL/ 43-UNIT TOWNHOMES
4380 MISSISSAUGA ROAD
MISSISSAUGA, ONTARIO

SCALE: 1:100

DRAWING TITLE: TYPICAL FRONT, REAR & SIDE ELEVATIONS OF 22' WIDE TOWNHOME UNITS

OWNER/DEVELOPER: DUNPAR DEVELOPMENTS INC.
108 SIX POINT ROAD
TORONTO (ETOBICOKE), ONTARIO M8Z 2K3

PREPARED BY: D P
CHECKED BY: T G
DATE: FEB. 24/2006
ISSUED: 4380 MS

PROJECT: 4380 MS