



Corporate Report

Clerk's Files

Originator's
Files T-M08003 W9

DATE: November 11, 2008

TO: Chair and Members of Planning and Development Committee
Meeting Date: December 1, 2008

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Draft Plan of Subdivision Application
To permit 46 detached dwelling lots and 2 public roads
Block 84, Registered Plan 43M-1087
Southeast of Winston Churchill Boulevard and Duncairn Drive
Owner: Peel District School Board
Applicant: Erin Mills Development Corporation
Bill 51

Public Meeting **Ward 9**

RECOMMENDATION: That the Report dated November 11, 2008, from the Commissioner of Planning and Building regarding the application for a draft plan of subdivision to permit 46 detached dwelling lots and 2 public roads, under file T-M08003 W9, Peel District School Board, Block 84, Registered Plan 43M-1087, be received for information.

BACKGROUND: The above-noted application has been circulated for technical comments and a community meeting has been held.

The purpose of this report is to provide preliminary information on the application and to seek comments from the community.

COMMENTS:

Details of the proposal are as follows:

Development Proposal	
Complete Application Submitted:	August 5, 2008
Net Density:	19.34 units/ha 7.83 units/acre
Lot size:	Minimum 12.2 m (40 ft.) frontages
Number of units:	46
Anticipated Population:	152* *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:	2.0 spaces per dwelling unit; 0.25 visitor spaces per dwelling unit
Parking Provided:	Parking will exceed by-law requirements for this subdivision.
Supporting Documents:	Draft plan of subdivision; Grading plan; Preliminary Acoustic Report.

Site Characteristics	
Frontage:	64.25 m (210.79 ft.) – Duncairn Drive
Depth:	250.94 m (823.29 ft.) – east side of site 288.44 m (946.33 ft.) – west side of site
Net Lot Area:	2.38 ha (5.88 ac.)
Existing Use:	Vacant land

Green Development Initiatives

There have been no green development initiatives identified by the applicant at this time.

Additional information is provided in Appendices I-1 to I-8.

Neighbourhood Context

The subject property is a vacant site, located in an established, low density residential neighbourhood which was developed approximately ten years ago. The site was acquired by the Peel District School Board in the event that an additional school site was needed in this neighbourhood. As the site is not needed by the Board, it is proposed to be developed in accordance with the existing zoning. The site is relatively flat, and is not impacted by any significant natural features such as valleylands or woodlots. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

North: Single detached dwellings on 14 m (46 ft.) lots
East: City parkland (Duncairn Downs) and Divine Mercy Elementary School
South: Detached dwellings on 9.75 m to 11 m (32 ft. to 36 ft.) lots
West: Detached dwellings on 11 m to 14 m (36 ft. to 46 ft.) lots

Current Mississauga Plan Designation and Policies for Central Erin Mills Planning District (May 5, 2003)

"Residential Low Density II" which permits detached, semi-detached and other types of freehold dwellings including street townhouses, within density range of 17-27 units per net residential hectare (7-11 units per net residential acre). The application is in conformity with the land use designation and no official plan amendments are proposed.

There are other policies in the Official Plan which also are applicable in the review of this application including:

Urban Form and Community Identity – Objective 2.2.2.4 is "to maintain the established historic character, living environment and sense of community through the preservation and protection of existing residential neighbourhoods."

Housing – Objective 2.4.2.4 is "to encourage compatible residential intensification."

Residential Policies – Section 3.2.3.1 – "Residential lands will be developed to achieve a compact, orderly urban form, generally characterized by lower densities in the interior of communities and higher densities along major roads and near concentrations of commercial, community and transportation facilities."

Section 3.2.3.4 – "Reduction of residential densities will be discouraged."

Section 3.2.3.9 – "Permitted uses must be compatible with the surrounding development."

Urban Design – Section 3.18.2.4. states that "Building and site design will be compatible with site conditions, the surrounding context, features and surrounding landscape and the intended character of the area."

Existing Zoning

"R4" (Detached dwellings – typical lots), which permits detached dwellings on lots with minimum frontages of 12.0 m (39.4 ft.) and 16.5 m (54.1 ft.) for corner lots, and minimum lot areas of 365 m² (3,929 sq. ft.) and 500 m² (5,382 sq. ft.) for corner lots.

Neither an Official Plan Amendment nor a zoning change is required as part of this application.

COMMUNITY ISSUES

Over 80 households delivered a form letter to staff in the Planning and Building Department and to the Office of the City Clerk, stating that they do not support the sale of the lands and that Duncairn Downs Park should be increased in area as in their opinion there is a shortage of parkland in Ward 9. The Community Services Department has confirmed that additional parkland is not required in this area.

A petition containing approximately 250 signatures has also been received by the Office of the City Clerk in opposition to the application.

A community meeting was held by Ward 9 Councillor Saito on October 30, 2008.

The following is a summary of issues raised by the Community:

Comment

A concern was raised with the size of the lots fronting onto Duncairn Drive. In the draft plan of subdivision they are smaller (12.2 m/40 ft.) than the lots on the north side of the road (14 m/45 ft.).

Response

Although all of the proposed lots meet the frontage requirements of the "R4" zone, to address the concern raised by the residents, the developer reconfigured the lotting pattern for the five lots that formerly fronted onto Duncairn Drive (see Appendix I-5A). In the new layout, two lots with frontages of 14.09 m (46 ft.) face onto Duncairn Drive, and the remaining three lots front onto proposed Street A, and have frontages of 14.08 m (46 ft.) for the corner lot and 12.2 m (40 ft.) for the two new interior lots.

Comment

Why didn't the Peel District School Board construct an elementary school on this site? Why did they sell the land back to Erin Mills Development Corporation?

Response

A planner from the Peel District School Board explained the school will not be built at this site due to declining enrolment in the local schools. The enrolment at Middlebury Public School, the closest school to this neighbourhood, has fallen from 680 students in 1993 to 434 in 2008. The school has a capacity for 641 students (see Appendix I-7).

The land was sold back to Erin Mills Development Corporation based on an Option Agreement signed in December, 1988.

Comment

The land should be purchased by the City and added to the adjacent Duncairn Downs Park. If constructed, the new streets should connect to the park.

Response

This area has double the City standard for parkland at the current time and the purchase of additional parkland cannot be supported. A paved connection to link proposed Street B to the park path and existing sidewalks has been identified by staff as a condition of approval.

Comment

The neighbourhood will see a significant increase in traffic.

Response

Local traffic from 46 detached dwellings would disperse itself over the peak periods, whereas school traffic is anticipated to be three times higher and also concentrated at school drop off and pick up times.

Comment

Construction will have an impact on the existing residents.

Response

City inspectors will ensure that construction is limited to the permitted hours of 7 a.m. to 7 p.m.

School bus stops will be temporarily relocated as required during construction.

Siltation fencing will be in place during construction.

Privacy fencing will be erected along the rear property lines of the houses that front onto the east side of Russell View Road.

Comment

Concern has been raised with respect to the real estate transactions that occurred between the developer and the school board.

Response

The disposal of lands by the Peel District School Board is outside the authority of the City of Mississauga.

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-6 and school accommodation information is contained in Appendix I-7. Based on the comments received and the applicable Mississauga Plan policies the following matters will have to be addressed:

The Enersource Hydro Mississauga switchgear identified on Lot 1 must be identified as a separate block in the draft plan of subdivision, and a satisfactory connection to the existing park, Duncairn Downs, must be provided from proposed Street B.

OTHER INFORMATION**Development Requirements**

In conjunction with the proposed development, there are certain other engineering and conservation matters with respect to grading, storm drainage, Enersource Hydro Mississauga equipment, and archeological assessment which will require the applicant to enter into the appropriate agreements with the City, the details of which will be dealt with during the processing of the plan of subdivision.

FINANCIAL IMPACT:

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

CONCLUSION:

All agency and City department comments have been received and after the public meeting has been held and all issues are resolved, the Planning and Building Department will be in a position to make a recommendation regarding this application.

ATTACHMENTS:

Appendix I-1 - Site History
Appendix I-2 - Aerial Photograph
Appendix I-3 - Excerpt of Central Erin Mills District
Land Use Map

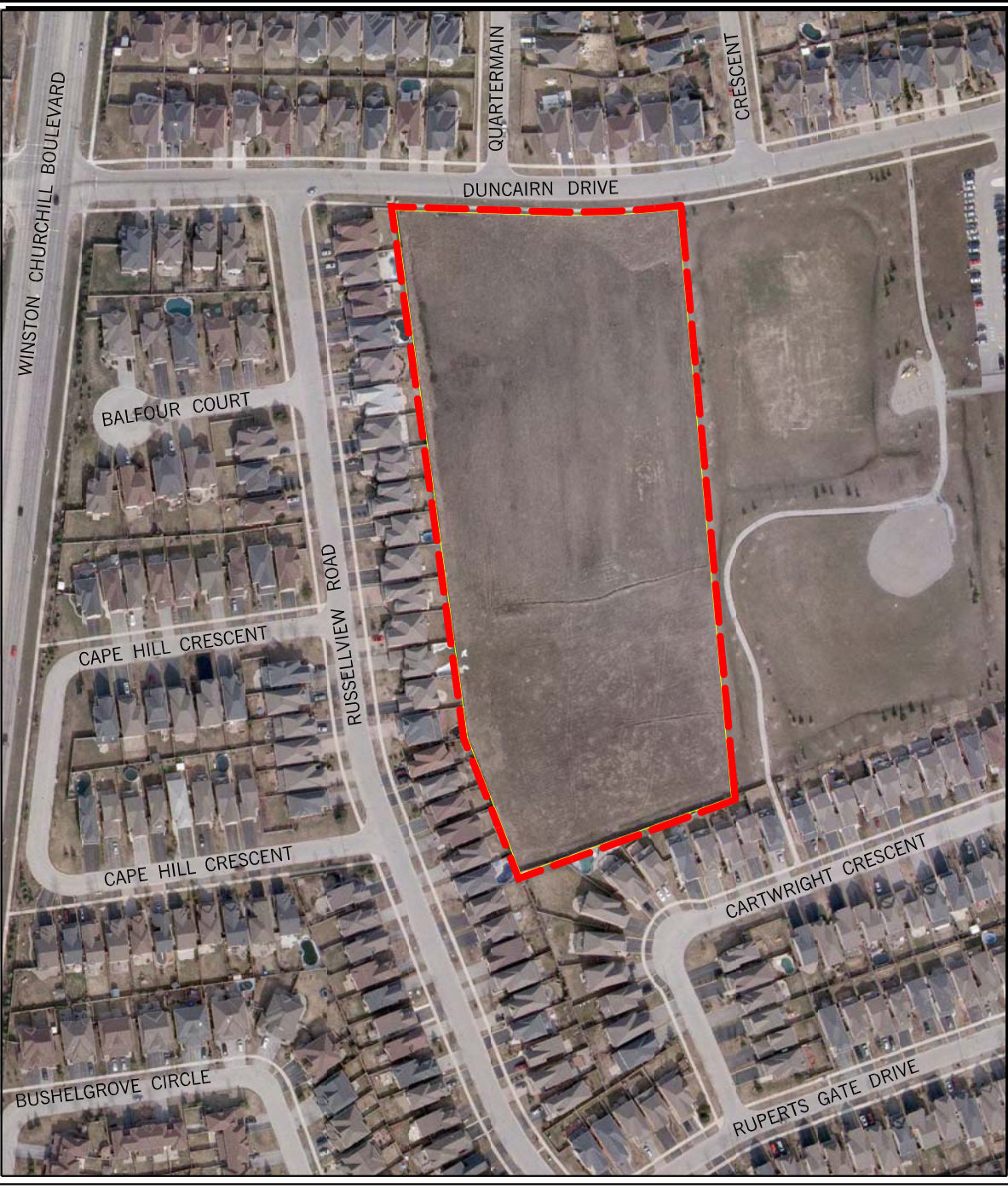
Appendix I-4 – Excerpt of Existing Land Use Map
Appendix I-5 – Draft Plan of Subdivision (original)
Appendix I-5A – Draft Plan of Subdivision (Revised)
Appendix I-6 – Agency Comments
Appendix I-7 – School Accommodation
Appendix I-8 – General Context Map

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Lisa Christie, Development Planner

Erin Mills Development Corporation**File: T-M08003 W9****Site History**

- August 8, 1988 – Phase I of the rezoning, under file OZ 87/048 W9, was approved, which rezoned the subject site from "A" (Agricultural) to "H-R3-1700", which permitted only one-family detached dwellings on lots with minimum interior frontages of 12.0 m (39.4 ft.) and areas of 385 m² (4,144 sq. ft.) and minimum corner frontages of 16.5 m (54.1 ft.) and areas of 525 m² (5,651 sq. ft.)
- April 22, 1991 – Phase II of the rezoning under file OZ 87/048 W9, approved (southeast corner of Winston Churchill Boulevard and Thomas Street only)
- August 14, 1991 – Phase III of the rezoning under file OZ 87/048 W9, approved (northwest corner of Winston Churchill Boulevard and Erin Centre Drive only)
- August 9, 1993 – Plans 43M-1087 (including the subject property), 43M-1088 (north of the subject site) and 43M-1089 (to the immediate west of the subject property) were registered
- May 5, 2003 – Central Erin Mills District Policies approved, which identified the subject site as "Residential Low Density II".
- June 20, 2007 – Zoning By-law 0225-2007 came into force except for those sites which have been appealed. As no appeals have been filed the provisions of the new By-law apply. The subject lands are zoned "R4" (Detached dwellings – typical lots), which permits detached dwellings on lots with minimum interior lot frontages of 12.0 m (39.4 ft.) and areas of 365 m² (3,929 sq. ft.) and minimum corner lots with frontages of 16.5 m (54.1 ft.) and areas of 500 m² (5,381 sq. ft.).



LEGEND:

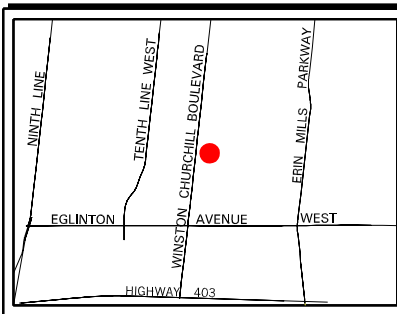


SUBJECT LANDS

DATE OF AERIAL PHOTO: April 2008

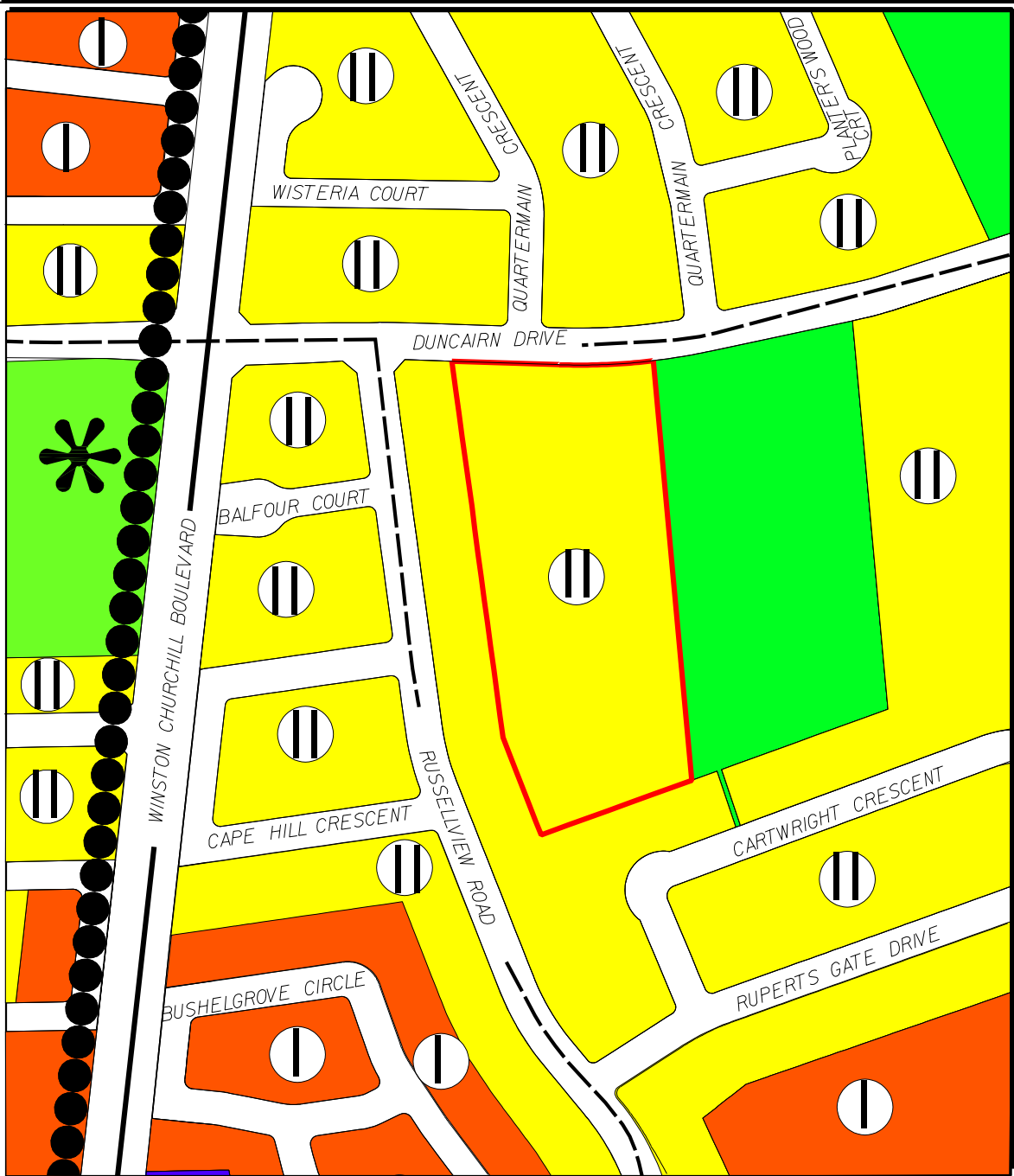


SUBJECT:
ERIN MILLS DEVELOPMENT CORPORATION



FILE NO: T-M08003 W9
DWG. NO: T-M08003A
SCALE: NTS
PDC DATE: 2008 12 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
- Public Open Space
- Greenbelt
- Institutional
- Parkway Belt West
- Utility

TRANSPORTATION LEGEND

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

LAND USE LEGEND

- Node Boundary
- Hospital
- Existing Stormwater Management Facility
- Planning District
- Special Site Areas (See Special Site Policies)

SUBJECT LANDS



SUBJECT:
ERIN MILLS DEVELOPMENT CORPORATION

FILE NO:
T-M08003 W9

DWG. NO:
T-M08003L

SCALE:
1:5000

PDC DATE:
2008 12 01

DRAWN BY:
R.DICOSOLA

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics

APPENDIX I-3

BY-LAW 0225-2007

LEGEND:

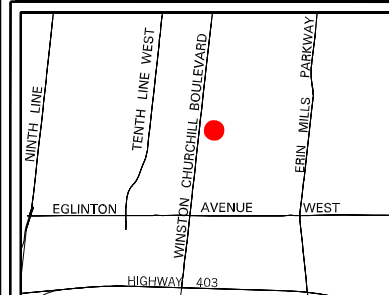


PROPOSED DRAFT PLAN OF SUBDIVISION TO PERMIT 46 DETACHED DWELLINGS ON 12.2M (40FT) LOTS.



SUBJECT:

ERIN MILLS DEVELOPMENT CORPORATION



FILE NO:

T-M08003 W9

DWG. NO:

T-M08003R

SCALE:

1:2500

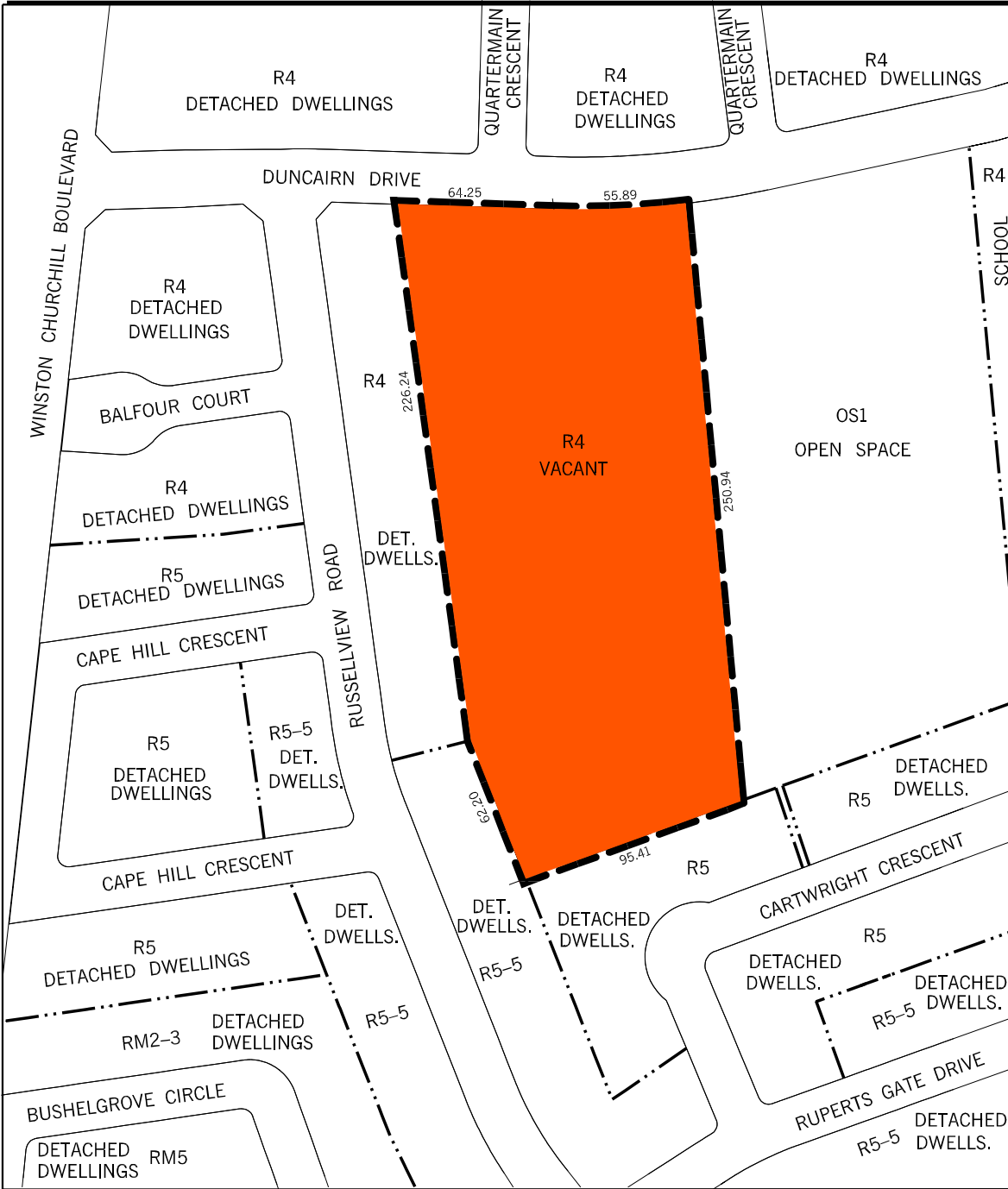
PDC DATE:

2008 12 01

DRAWN BY:

R.DICOSOLA

APPENDIX 1-4



BY-LAW 0225-2007

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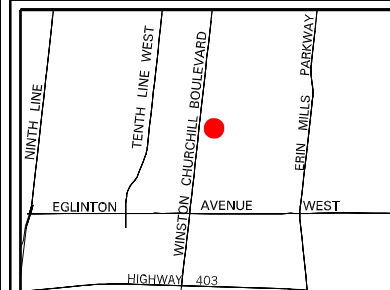


AREA OF DRAFT PLAN OF SUBDIVISION
T-M08003 W9.



SUBJECT:

ERIN MILLS DEVELOPMENT CORPORATION



FILE NO:
T-M08003 W9

DWG. NO:
T-M08003S

SCALE:
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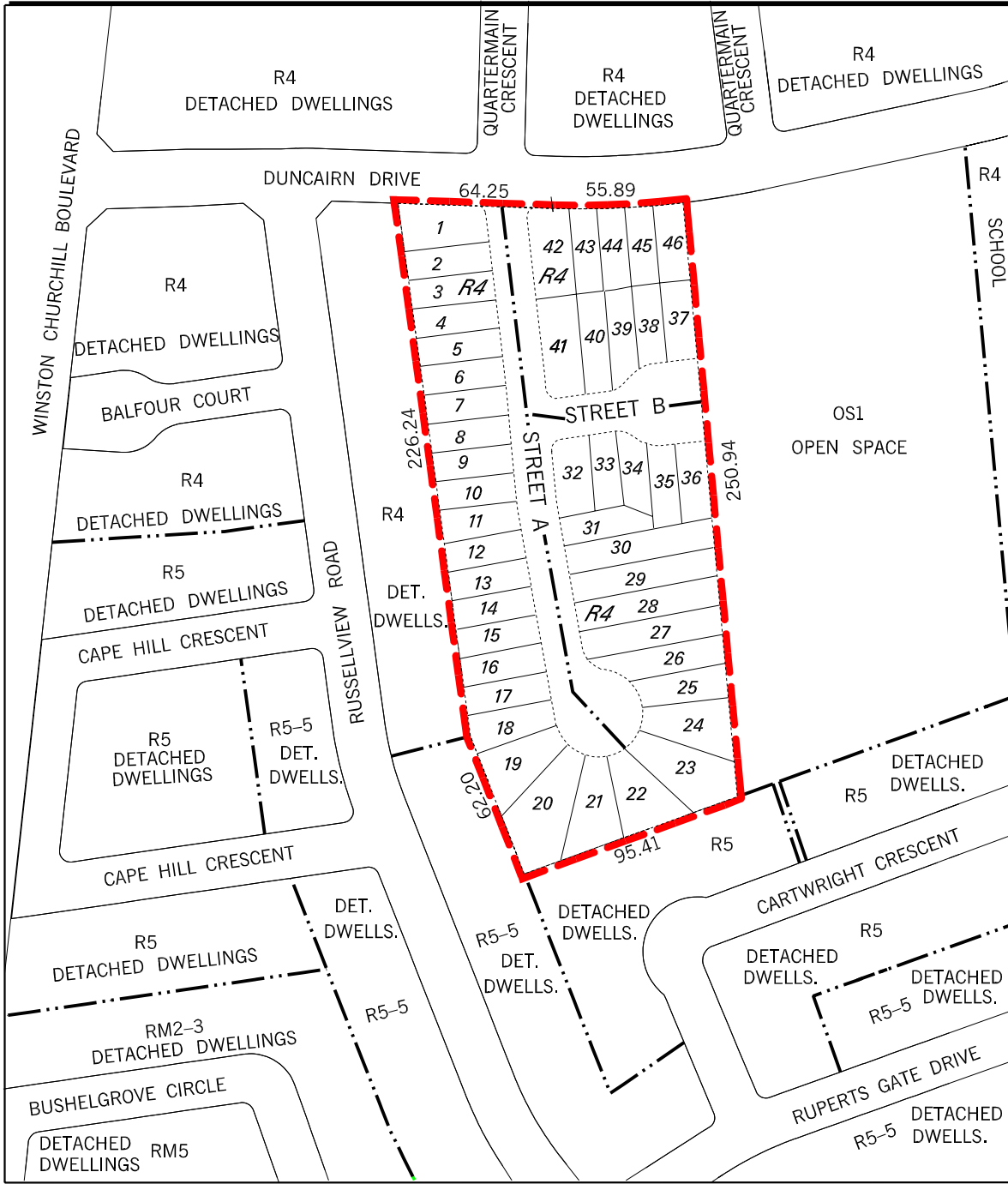
PDC DATE:
2008 12 01

DRAWN BY:
R.DICOSOLA

APPENDIX 1-5

MISSISSAUGA
Planning and Building

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BY-LAW 0225-2007

LEGEND:



AREA DRAFT PLAN OF SUBDIVISION T-M08003 W9.



SUBJECT:

ERIN MILLS DEVELOPMENT CORPORATION

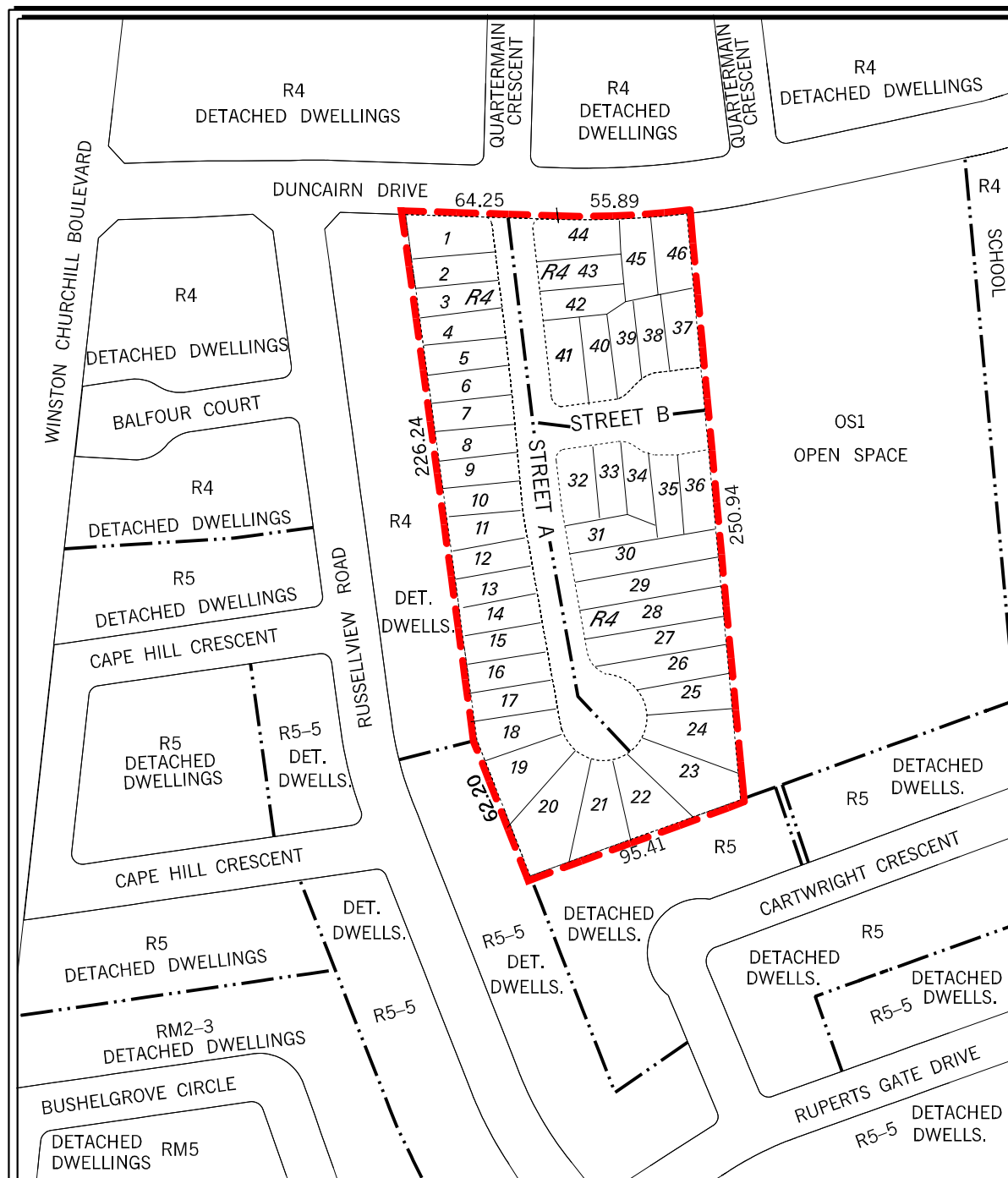


FILE NO:
T-M08003 W9
DWG. NO:
T-M08003S
SCALE:
1:2500
PDC DATE:
2008 12 01
DRAWN BY:
R.DICOSOLA

APPENDIX 1-5A

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Erin Mills Development Corporation

File: T-M08003 W9

Agency Comments

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

Agency / Comment Date	Comment
Region of Peel (October 10, 2008)	No objection to the proposed application. If approved, a number of clauses must be included as part of the Servicing and/or Development Agreements, and have been forwarded to the applicant under separate cover.
Dufferin-Peel Catholic District School Board and the Peel District School Board (September 3 and August 15, 2008)	<p>They are satisfied with the current provision of educational facilities for the catchment area and, as such, satisfactory arrangements regarding the adequate provision and distribution of educational facilities need not be applied for this development application.</p> <p>In addition, if approved, the Dufferin-Peel Catholic District School Board also require the following conditions be incorporated into the conditions of draft approval:</p> <ol style="list-style-type: none"> 1. That the applicant shall agree in the Servicing and/or Subdivision Agreement to include the following warning clauses in all offers of purchase and sale of residential lots until the permanent school for the area has been completed: <ol style="list-style-type: none"> (a) "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." (b) "That the purchasers agree that for the purposes 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>In addition, if approved, the Peel District School Board also require the following conditions be incorporated into the conditions of draft approval:</p> <p>"Whereas, despite the efforts of the Peel District School</p>

Erin Mills Development Corporation

File: T-M08003 W9

Agency / Comment Date	Comment
	<p>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 bused to schools outside of 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>
<p>City Community Services Department – Planning, Development and Business Services Division (October 15, 2008)</p>	<p>Prior to the issuance of building permits, for each lot or block, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the <i>Planning Act</i>, R.S.O. 1990, c.P.13, as amended, and in accordance with City Policies and By-laws.</p>
<p>City Community Services Department – Planning and Heritage Section (August 15, 2008)</p>	<p>The subject property and proposed development is less than 250 metres from a registered archaeological site, AjGw-133. As a result there is high potential for archaeological resources on the subject lands.</p> <p>The proponent shall carry out an archaeological assessment of the subject property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements.</p>
<p>City Transportation and Works Department (October 14, 2008)</p>	<p>A Preliminary Noise Report dated August 14, 2008 has been received which concludes that with the use of appropriate attenuation measures and warning clauses the proposed development can be adequately attenuated from the surrounding noise sources in accordance with Ministry of Environment (MOE) guidelines.</p> <p>Prior to a Supplementary Report proceeding to Council, the applicant will be required to provide a Phase 1 Environmental Site Assessment. Additional grading information and details with respect to the feasibility of Lot 1 have also been requested from the applicant.</p> <p>Further detailed comments/conditions will be provided prior the supplementary meeting pending the review of the requested information and revised draft plan of subdivision to the</p>

Erin Mills Development Corporation**File: T-M08003 W9**

Agency / Comment Date	Comment
	<p>satisfaction of the City.</p> <p>In the event that this application is approved by Council, the owner will be required to make satisfactory arrangements with the City and the Region of Peel for the dedication and construction of roads and municipal services required in support of this development.</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> <p>Rogers Cable – August 11, 2008 Enbridge Pipelines – August 15, 2008 Credit Valley Hospital – August 18, 2008 Hydro One Network – August 19, 2008 Bell Canada – August 21, 2008 Enersource Hydro Mississauga – September 11, 2008 City Community Services Department – Fire and Emergency Services Division – October 14, 2008 Zoning Section – pending</p>
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <p>Realty Services Peel Regional Police Canada Post Enbridge Gas Distribution Policy Planning Division, Planning and Building Department</p>

Erin Mills Development Corporation

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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"> 9 Kindergarten to Grade 5 5 Grade 6 to Grade 8 7 Grade 9 to Grade 12 • School Accommodation: <ul style="list-style-type: none"> Middlebury Public School <ul style="list-style-type: none"> Enrolment: 487 Capacity: 688 Portables: 0 Thomas Street Middle School <ul style="list-style-type: none"> Enrolment: 892 Capacity: 755 Portables: 6 John Fraser Secondary School <ul style="list-style-type: none"> Enrolment: 1,656 Capacity: 1,236 Portables: 1 <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"> 7 Junior Kindergarten to Grade 8 4 Grade 9 to Grade 12/OAC • School Accommodation: <ul style="list-style-type: none"> Divine Mercy Elementary School <ul style="list-style-type: none"> Enrolment: 669 Capacity: 690 Portables: 0 St. Aloysius Gonzaga Secondary School <ul style="list-style-type: none"> Enrolment: 1656 Capacity: 1870 Portables: 0

