



Corporate Report

Clerk's Files

Originator's
Files T-M08003 W9

DATE: January 13, 2009

TO: Chair and Members of Planning and Development Committee
Meeting Date: February 2, 2009

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Draft Plan of Subdivision Application**
To permit 46 detached dwellings
Block 84, Registered Plan 43M-1087
Southeast of Winston Churchill Boulevard and Duncairn Drive
Owner: Erin Mills Development Corporation
Applicant: Erin Mills Development Corporation
Bill 51

Supplementary Report **Ward 9**

RECOMMENDATION: That the Report dated January 13, 2009, from the Commissioner of Planning and Building recommending approval of the application under File T-M08003 W9, Erin Mills Development Corporation, Block 84, Registered Plan 43M-1087, southeast of Winston Churchill Boulevard and Duncairn Drive, be adopted in accordance with the following:

1. That the Plan of Subdivision under file T-M08003 W9, be recommended for approval subject to the following conditions contained in Appendix S-3.

BACKGROUND: A public meeting was held by the Planning and Development Committee on December 1, 2008, 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-0088-2008 which was subsequently adopted by Council and is attached as Appendix S-2.

COMMENTS:

COMMUNITY ISSUES

A number of issues were raised by residents at the Community Meeting held by Councillor Saito on October 30, 2008. The details of those issues are included in Appendix S-1, "Community Issues" section.

The following comprises the comments raised at the Public Meeting on December 1, 2008 at Planning and Development Committee:

Comment

The developer does not currently own the land; therefore the City should not put any resources into processing the application.

Response

The City's statutory authority to process the application can be found in Section 51(16) of the *Planning Act*, which states "An owner of land or the owner's agent duly authorized in writing may apply to the approval authority for approval of a plan of subdivision of the land or part of it."

Comment

Current laws require that if a school site is declared surplus, it can't be sold without the knowledge of the residents and the twenty year old agreement of purchase and sale should be superseded by the new law.

Response

The Option Agreement signed by both the Peel District School Board and Erin Mills Development Corporation is legally binding. The City of Mississauga was not party to the private real estate transaction.

Comment

It is unclear who is the owner of the land, and what zoning category pertains to the property.

Response

Until the real estate transaction closed on December 16, 2008, the owner of the land was the Peel District School Board. After that date, Erin Mills Development Corporation became the owner. The zoning of the site when the Option Agreement was signed was "H-R3-1700", and is currently "R4".

Comment

In an email received on December 4, 2008, a local resident inquired about the City's authority to process a planning application when the applicant is not the landowner; whether the land was zoned "R4" in 1988 and 1998 and how copies of the relevant by-laws can be obtained; and, about park area per resident in the City.

Response

Section 51(16) of the *Planning Act* gives the City the statutory authority to process complete development applications as submitted (see above). The Office of the City Clerk can provide certified copies of by-laws and resolutions passed by City Council. In this instance, By-law 539-88 zoned the lands "H-R3-1700" in 1988, which was also the zoning on the land in 1998. The property was not zoned "R4" until the passage of the Comprehensive Zoning By-law 0225-2007 in 2007.

See “Updated Agency and City Department Comments” Section (Community Services Department comments, page 5) of this Report for City of Mississauga park provision requirements and actual park provision ratios for this area.

Comment

The applicant was asked to consider widening the lots that back onto Russell View Road by removing one of the proposed lots on the west side of Road "A".

Response

The applicant has indicated that they will not be reducing the number of lots, as all the zoning standards for the "R4" zone are being met. Further, it would not be an efficient use of land and services to reduce the number of lots. There is no requirement on the part of the City that lots that back onto each other must be the exact same size.

Comment

The residents on the east side of Russell View Road requested the developer to install privacy fencing along their rear property lines, to protect their homes from the construction and to ensure privacy once the new dwellings are constructed.

Response

The developer has agreed to install a wood screen fence adjacent to the rear of the abutting lots where a screen fence currently does not exist and has committed to a rear upgrade treatment of the proposed lots that back onto the 14 m (46 ft.) lots on Russell View Road.

**UPDATED AGENCY AND CITY DEPARTMENT
COMMENTS**

In comments dated December 18, 2008, the Transportation and Works Department indicated that 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.

In comments dated January 7, 2009, the Community Services Department advised that, in accordance with *Future Directions for Recreation and Parks (2004)*, the City's minimum park provision requirement is 1.2 ha (3.0 ac.) per 1,000 residents, and that parkland be located within 800 m (2,625 ft.) of residential lands.

Park provision requirements are typically organized on a service area basis, and the subject property is located within Service Area 1, the boundaries of which are defined by Highway 403 (south), Town of Milton (west), Town of Halton Hills and City of Brampton (north), and the Credit River (east). Service Area 1 has a park provision ratio of 2.37 ha (5.8 ac.) per 1,000 residents (estimated for the 2,031 population), and all residential properties in this community are served by parkland which is located within 800 m (2,625 ft.).

Although park provision requirements are presented by service area, a resident request was received to provide this information by ward. Citing 2006 population statistics, the parkland provision ratio for Ward 9 is approximately 2.9 ha (7.2 ac.) per 1,000 residents.

Comparing provision levels by service area and by ward, this Department confirmed that the subject area exceeds the minimum City-wide park provision requirement of 1.2 ha (3 ac.) per 1,000 residents.

In addition, the applicant has provided a Phase 1 Environmental Assessment and additional grading information to the satisfaction of this department. In the event that this application is approved by City 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 application.

The City's Heritage Coordinator had requested an archaeological assessment for the subject property prior to Supplementary Report, and this issue has been addressed to the satisfaction of the City.

PLANNING COMMENTS

Official Plan

The proposed plan of subdivision is in conformity with the existing land use designation, "Residential Low Density II" in the Central Erin Mills Planning District in Mississauga Plan.

Zoning

The proposed lots are in conformity with the "R4" (detached dwellings – typical lots) zone, which permits detached dwellings with minimum frontages of 12.0 m (39.4 ft.).

Draft Plan of Subdivision

The proposed plan of subdivision was reviewed by City Departments and agencies and is acceptable subject to certain conditions.

Since the lands are the subject of a Draft Plan of Subdivision under File T-M08003 W9, development will be subject to the completion of services and registration of the plan.

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

CONCLUSION: The proposed draft plan of subdivision is acceptable from a planning standpoint and should be approved for the following reason:

1. The proposal for 46 detached dwellings is compatible with the surrounding land uses based on the proposal's conformity with both the "Residential Low Density II" policies in the

Central Erin Mills District Plan and the "R4" zone provisions
of By-law 0225-2007.

ATTACHMENTS:

Appendix S-1 - Information Report

Appendix S-2 - Recommendation PDC-0088-2008

Appendix S-3 – List of City Draft Plan of Subdivision Conditions.

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Lisa Christie, Development Planner



Corporate Report

Clerk's Files

Appendix S-1

Originator's

Files T-M08003 W9

PDC DEC 01 2008

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

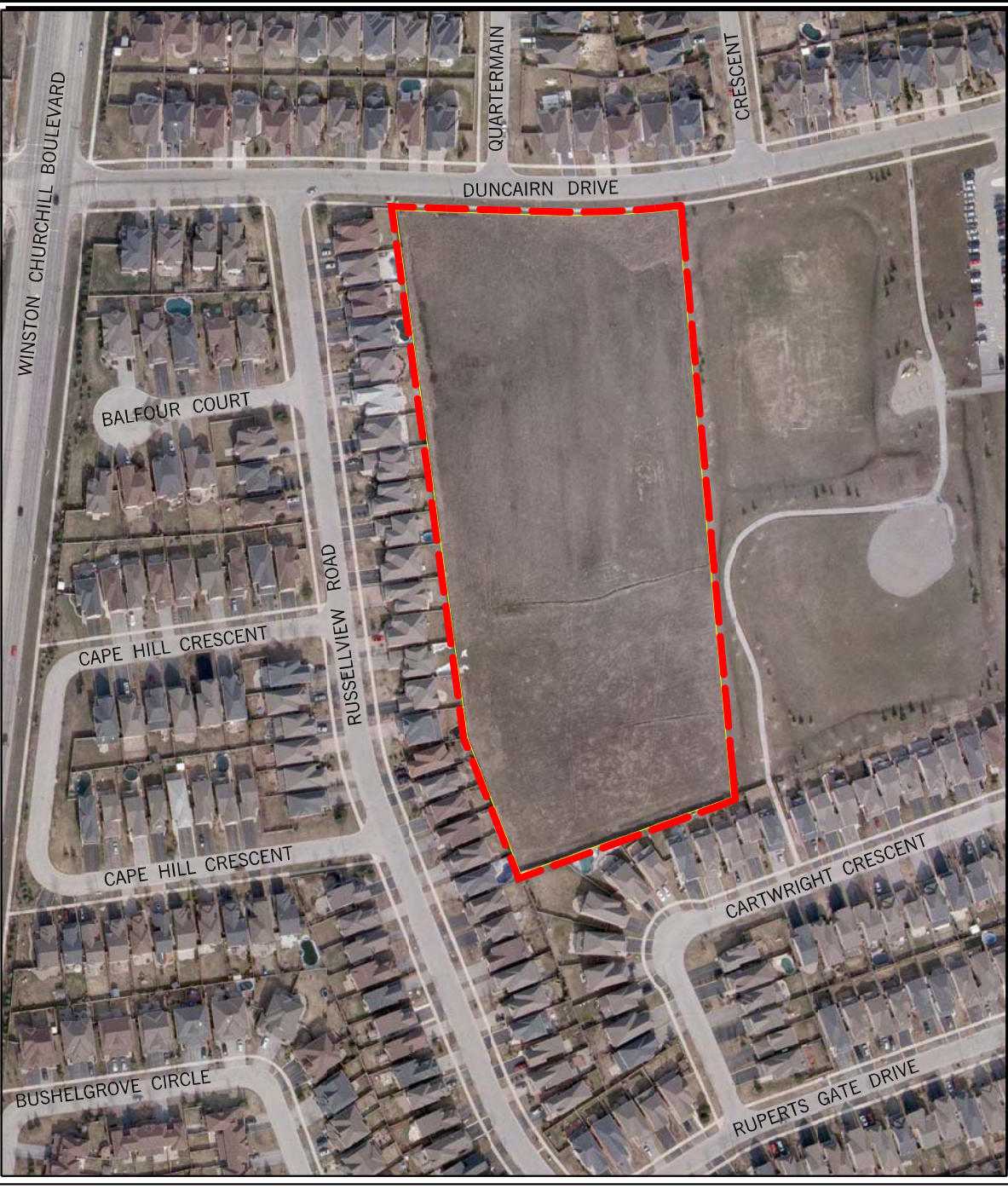
Appendix I-4 – Excerpt of Existing Land Use Map
Appendix I-5 – Draft Plan of Subdivision (original)
Appendix I-5A – Draft Plan of Subdivision (Revised)
Appendix I-6 – Agency Comments
Appendix I-7 – School Accommodation
Appendix I-8 – General Context Map

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:

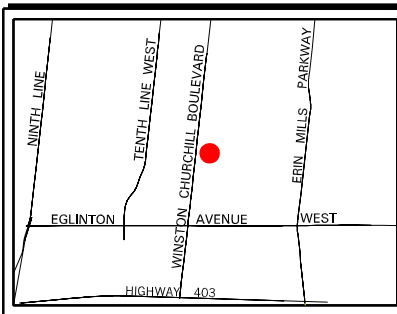


SUBJECT LANDS

DATE OF AERIAL PHOTO: April 2008

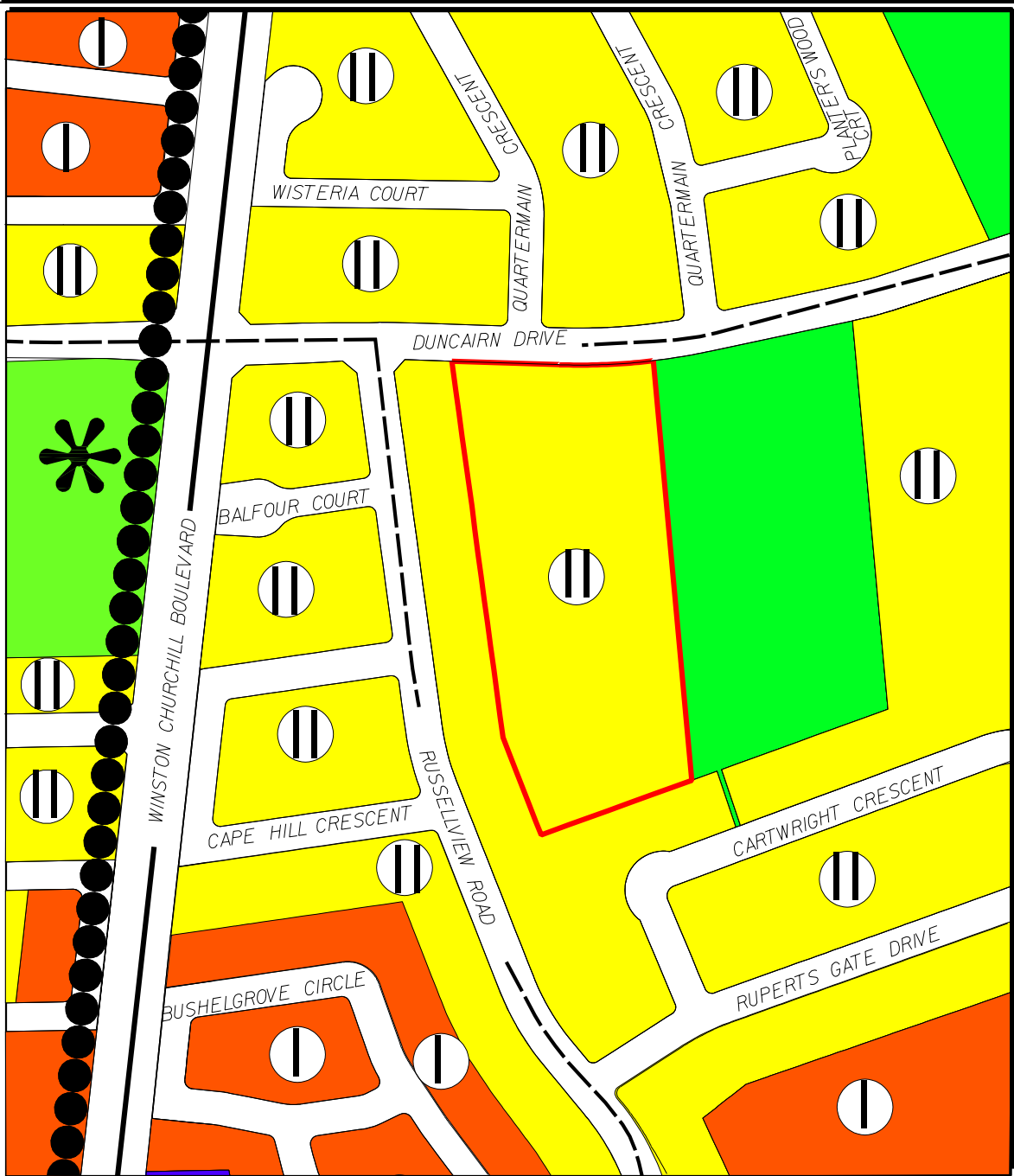


SUBJECT:
ERIN MILLS DEVELOPMENT CORPORATION



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
- Hos – 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		APPENDIX I-3
	DWG. NO: T-M08003L		
	SCALE: 1:5000		
	PDC DATE: 2008 12 01	DRAWN BY: R.DICOSOLA	
		Produced by T&W, Geomatics	

BY-LAW 0225-2007

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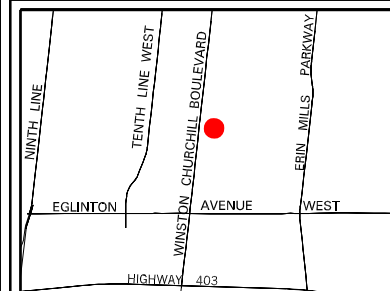


AREA OF DRAFT PLAN OF SUBDIVISION
T-M08003 W9.



SUBJECT:

ERIN MILLS DEVELOPMENT CORPORATION



FILE NO:
T-M08003 W9

DWG. NO:
T-M08003S

SCALE:
1:2500

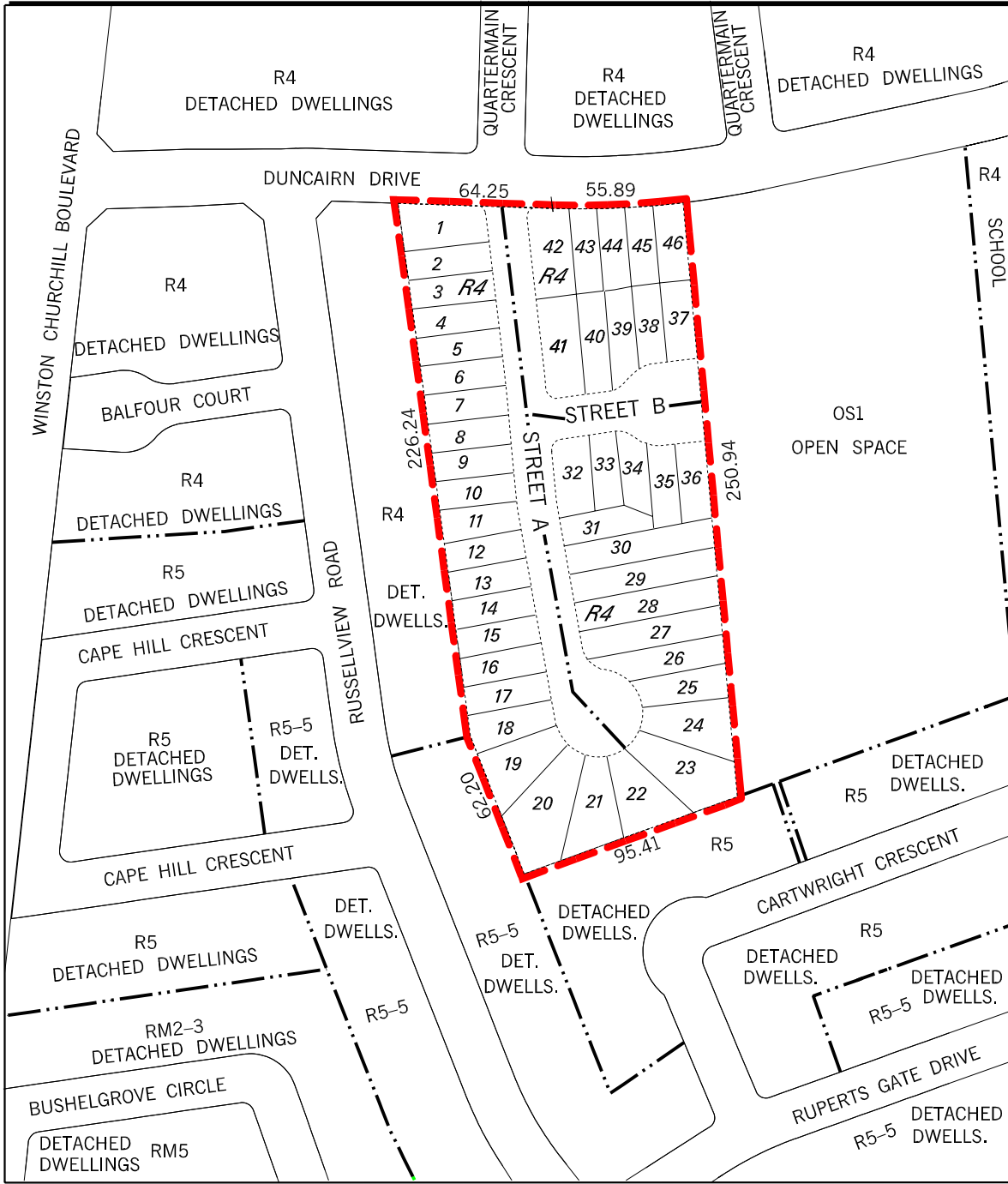
PDC DATE:
2008 12 01

DRAWN BY:
R.DICOSOLA

APPENDIX 1-5

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics



BY-LAW 0225-2007

LEGEND:

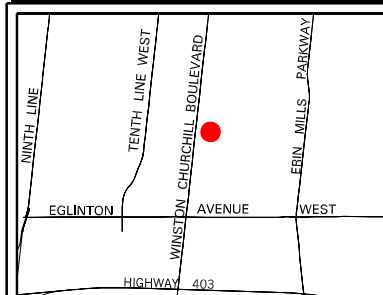


AREA DRAFT PLAN OF SUBDIVISION T-M08003 W9.



SUBJECT:

ERIN MILLS DEVELOPMENT CORPORATION

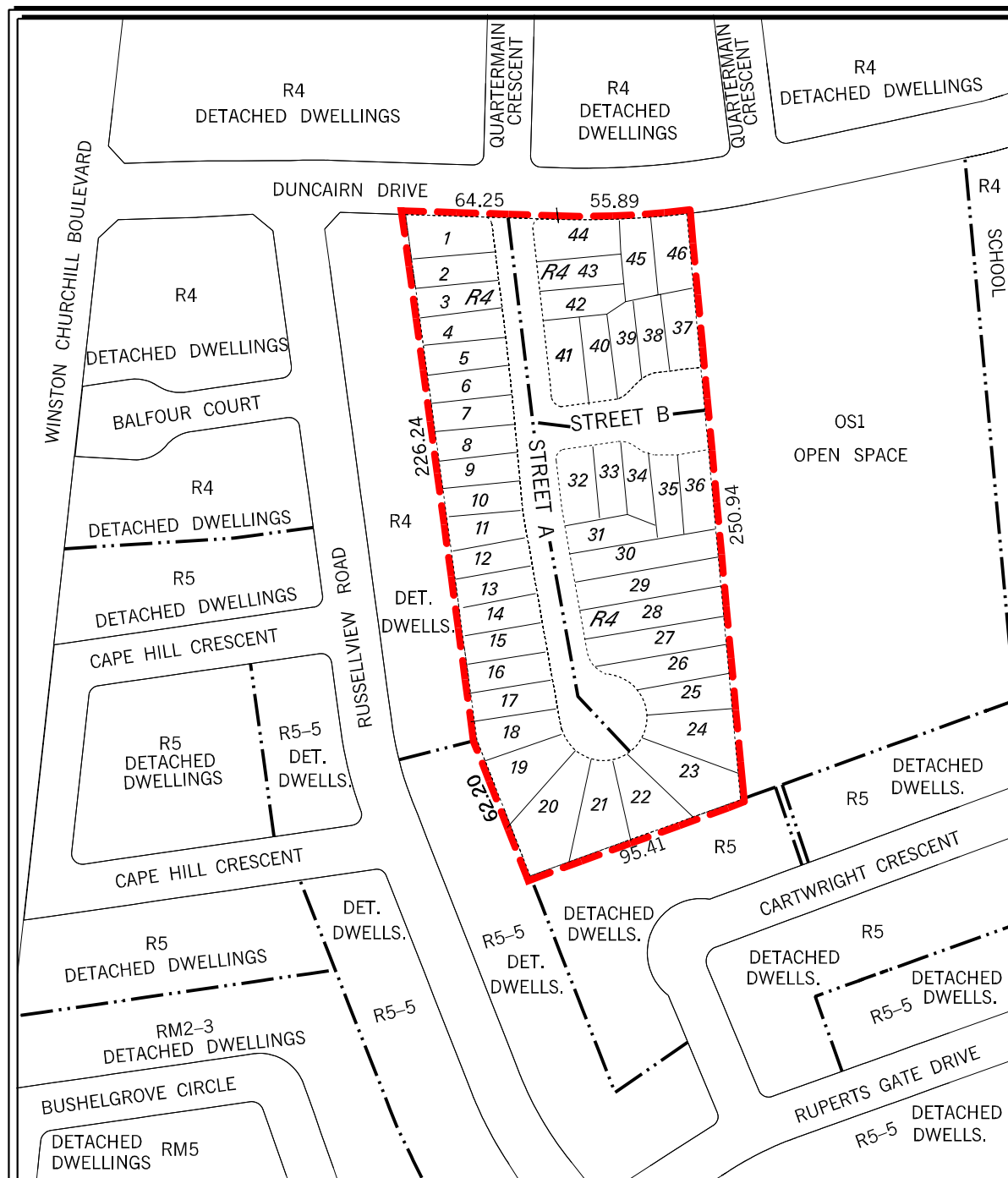


FILE NO:
T-M08003 W9
DWG. NO:
T-M08003S
SCALE:
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PDC DATE:
2008 12 01
DRAWN BY:
R.DICOSOLA

APPENDIX 1-5A

MISSISSAUGA
Planning and Building

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T&W, Geomatics



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

File: T-M08003 W9

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



Erin Mills Development Corporation

File: T-M08003 W9

Recommendation PDC-0088-2008

PDC-0088-2008

1. 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.
2. That the correspondence received from Maureen Waite, Mariusz and Jolanta Niewiarowski, Paul and Janet Methot, Ross MacLeod, Peter Lobo and Roy Kuta noting their concerns with respect to the Draft Plan of Subdivision Application under File T-M08003 W9, be received for information.
3. That the petition dated September 2008 received in opposition to the Draft Plan of Subdivision Application under File T-M08003 W9, be received for information.
4. That 88 form letters received noting concerns with respect to the Draft Plan of Subdivision Application under File T-M08003 W9, be received for information.



**SCHEDULE A
CONDITIONS OF APPROVAL**

**NOTICE OF DECISION
TO APPROVE:**

TBD

FILE:

T-M08003 W9

SUBJECT:

**Draft Plan of Subdivision
Block 84, Registered Plan 43M-1087
Southeast of Winston Churchill and Duncairn Drive
City of Mississauga
Erin Mills Development Corporation**

In accordance with By-law 1-97, as amended, the Commissioner, Planning and Building Department has made a decision to approve the above noted draft plan of subdivision subject to the lapsing provisions and conditions listed below.

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 required the dedication of land for partial fulfillment of land for park or other public recreational purposes based on the *Planning Act* R.S.O. 1990, c.P.13, Section 51.5 as amended, and in accordance with the City's policies and by-laws.

- 1.0 NOTE: 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. Approval of the draft plan applies to the plan dated May 28, 2006 (revised on November 5, 2008).
- 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, easements, construction and reconstruction, boulevards, sidewalks, walkways, signals, street lighting, grading, drainage, soil conditions, fencing, hoarding, noise mitigation, and warning clauses; financial issues, such as cash contributions, levies (development charges), land dedications or reserves, securities, insurance coverage 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 and utility or drainage easements 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 in accordance with CPD Resolution 0121-91, that a minimum of three car spaces per dwelling, including those in a garage be required and a minimum of 0.25 visitor parking space per dwelling be required on the street for the subject development.
- 8.0 The proposed streets shall be named to the satisfaction of the City and the Region. In this regard, a list of street names shall be submitted to the City Transportation and Works Department as soon as possible after draft plan approval has been received and prior to any servicing submissions. The owner is advised to refer to the Region of Peel Street Names Index to avoid proposing street names which conflict with the approved or existing street names on the basis of duplication, spelling, pronunciation, and similar sounding.
- 9.0 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".
- 10.0 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.

- 11.0 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.
- 12.0 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:
- 12.1 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.
- 12.2 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.
- 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 Servicing 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 That the owner/applicant agree to provide a temporary location at which Canada Post Corporation may locate community mailboxes during construction, until curbing and sidewalks are in place at the prescribed permanent mailbox locations.
- 16.0 That in consultation with Canada Post Corporation, the owner/applicant agrees to provide at their expense the following for the permanent mailbox locations:

- 16.1 An appropriately sized sidewalk section on which Canada Post mailboxes will be placed, adjacent to the municipal sidewalk (where applicable), and any required footpaths across the boulevard from the curb to the sidewalk;
- 16.2 Any required curb depressions and wheelchair access for mailbox sites where no sidewalk is planned.
- 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 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.
- 19.0 That 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.