Clerk's Files



Originator's Files OZ 08/012 W11 T-M08005 W11

DATE:	January 27, 2009		
TO:	Chair and Members of Planning and Development Committee Meeting Date: February 17, 2009		
FROM:	Edward R. Sajecki Commissioner of Planning and Building		
SUBJECT:	Information Report Rezoning and Draft Plan of Subdivision Applications To permit detached dwellings Part of Lot 10, Concession 2, W.H.S. Northeast corner of Second Line West and Silverthorn Mill Avenue Owner: 2096553 Ontario Inc. (Hush Homes) Applicant: John D. Rogers & Associates Inc. Bill 51		
	Public Meeting Ward 11		
<b>RECOMMENDATION:</b>	That the Report dated January 27, 2009, from the Commissioner of Planning and Building regarding the applications to change the Zoning of By-law 225-2007 from "R2-10" (Detached Dwellings- Typical Lots) to "R2-Exception" (Detached Dwellings-Typical Lots) and "R16-Exception" (Detached Dwellings on a CEC-Private Road), in addition to a draft plan of subdivision application, to permit 6 detached lots fronting onto a public road and 7 detached lots fronting onto a private common element condominium road, under files OZ 08/012 W11 and T-M08005 W11, 2096553 Ontario Inc., Part of Lot 10, Concession 2, W.H.S., be received for information.		

**BACKGROUND:** The above-noted applications have been circulated for technical comments.

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

COMMENTS: The applicant is proposing to develop 6 detached lots fronting onto a public road (3 each onto Second Line West and Silverthorn Mill Avenue) and 7 detached lots fronting onto a private common element condominium road, accessed from Silverthorn Mill Avenue. Details of the proposal are as follows:

Development	Proposal		
Applications	August 21, 2008 (deemed complete		
submitted:	October 9, 2008)		
Building	2 storeys (10.7 metres/35 ft.)		
Height:			
Lot Coverage:	30% per individual lot		
Net Density:	13.9 units/ha		
	5.6 units/acre		
Number of	13 units (6 freehold and 7 common		
units:	element condominium)		
Anticipated	44 people*		
Population:	*Average household sizes for all units		
	(by type) for the year 2011 (city average)		
	based on the 2005 Growth Forecasts for		
	the City of Mississauga.		
Parking	28 spaces (2.0 resident spaces per unit		
Required:	for freehold, 2.0 resident spaces and 0.25		
	visitor spaces per condominium)		
Parking	33 spaces (2.0 per freehold dwelling, 3.0		
Provided:	spaces per condominium, no visitor		
	spaces)		
Supporting	Functional Servicing Report		
Documents:	Environmental Noise Study		
	Preliminary Tree Inventory/Preservation		
	Plan		
	Planning Justification Report		

- 2 -

Site Characteristics			
Frontage:	Second Line: 59 m (194 ft.)		
	Silverthorn Mill: 177 m (580 ft.)		
Depth:	Approx. 96 m (314 ft.)		
Net Lot Area:	0.94 ha (2.3 ac.)		
Existing Use:	One single detached dwelling		

In order to develop the subdivision as proposed, the applicant is looking to acquire certain lands currently held in escrow by the City, being remnant parcels remaining from the development of neighbouring registered draft plan of subdivisions fronting onto Silverthorn Mill Avenue and Campbell Settler Court.

#### **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-10.

#### **Neighbourhood Context**

The subject property is located at the intersection of Silverthorn Mill Avenue and Second Line West, within Meadowvale Village. Surrounding the subject lands are detached homes. Those homes to the north and west, fronting onto Second Line West, tend to reside on larger lots with frontages greater then 20 m (66 ft.) while properties to the south and east, fronting onto Silverthorn Mill Avenue and Campbell Settler Court, are smaller lots with frontages in the range of 12 to 15 m (40 to 50 ft.). The lands are generally flat, and contain some mature vegetation. An existing home occupies a portion of the lands fronting Second Line West, which is proposed to be demolished. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

North:	Detached dwellings, fronting Second Line West and
	Campbell Settler Court
East:	Detached dwellings, fronting Silverthorn Mill Avenue

South: Detached dwellings, fronting Silverthorn Mill Avenue West: Detached dwellings, fronting Second Line West

#### Current Mississauga Plan Designation and Policies for the Meadowvale Village District (May 5, 2003)

The lands are located within the Village Character Area. As the lands do not immediately abut the Heritage Conservation District of Meadowvale Village, the following designation and policies apply:

**"Residential - Low Density I**" which permits detached dwellings on lots with a minimum frontage of 18 m (60 ft.) to a maximum density of 15 units per net residential hectare (6 units per net residential acre).

The applications are 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 these applications including:

Meadowvale Village District Policies:

As noted above, the subject lands are part of the Village Character Area. Section 4.23.3.1.2 contains the following Character Area policies:

- The rural village character of the Heritage Conservation District must be maintained (for example the small houses with complex massing, the generous front, rear and side setbacks, the many mature trees and the irregular topography);
- Road alignments of existing roads should be preserved, with no significant changes to grades to ensure the preservation of existing hedgerow trees;
- The existing grades should be maintained. Where acceptable drainage cannot be achieved through revised road layouts, lot sizes, lotting patterns or innovative drainage techniques, regrading may be permitted, providing that the effect on topography and vegetation is minimized;

- The design of subdivisions will provide for the appropriate development of the rear yards of the existing lots fronting on both sides of Second Line West, south of Old Derry Road;
- A concept plan will be required to illustrate the location of existing trees, road and lotting pattern, connections to adjacent developments, proposed grading, building envelopes, and garage locations;
- The Character Area includes a progression of spaces and landscape features that define the edge of the Village. Development near the gateways should enhance them and be in harmony with the character area of the Village. Lots should vary in size to create a varied and interesting streetscape;
- Building heights should be limited to two and a half (2.5) storeys, lot coverage should be addressed, and provision made for generous setbacks to ensure a sense of spaciousness around the Village, with larger setbacks closer to the Village;
- The development of these lands may include rolled curbs and gutters, fewer municipal sidewalks, and decorative street lighting – all of which differ from existing City standards. In addition, side yard fencing, street trees, signage, open space linkages, bus shelters, mail delivery kiosks, and other street furniture should generally conform to the Meadowvale Village Urban Design Guidelines.

**Residential Policies:** 

Section 3.2.3.2 of Mississauga Plan states that high quality and innovative residential design will be promoted in a form which reinforces and enhances the local community character, respects its immediate context, and creates a quality living environment. Innovative housing types and zoning standards will be encouraged. The plan notes that development should be located on public roads. Design issues related to built form, scale, massing, orientation, parking, and the quality and quantity of open space will be priorities in assessing the merits of residential development. Urban Design Policies:

- 6 -

Section 3.18.2.4

Building and site design will be compatible with site conditions, the surrounding context, features and surrounding landscape and the intended character of the area.

Section 3.18.2.6

Building, landscaping and site design will minimize the effects of noise, unattractive views, other negative impacts and will buffer adjacent land uses.

#### **Existing Zoning**

**"R2-10" (Detached Dwelling-Typical Lots)**, which permits detached dwellings on lots with a minimum frontage of 18 m (60 ft.) and a minimum lot area of 695 m<sup>2</sup> (7.481 sq. ft.), on a public road. Exceptions include the following:

- a maximum lot coverage of 25%;
- that a flat roof shall not be permitted;
- that the maximum building height, at the highest ridge, be 9.5 m (31.2 ft.);
- the maximum projection of the garage beyond any portion of the front wall of the first storey by 0.0 m (0.0 ft.).

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

"R2-Exception" (Detached Dwellings-Typical Lots), to permit detached dwellings, on a public road. As part of the rezoning, the applicant is proposing that exceptions be applied to the "R2" zone standards, as shown in Appendix I-9.

"R16-Exception" (Detached Dwellings on a CEC-Private Road), to permit detached dwellings, on a CEC private road. As part of the rezoning, the applicant is proposing that exceptions be applied to the "R16" zone standards, as shown in Appendix I-9.

#### **COMMUNITY ISSUES**

No community meetings were held and no written comments were received by the Planning and Building Department.

#### **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:

- Conformity with the urban design and landscape provisions of the Meadowvale District Plan, which shall be addressed through the submission of a more detailed concept plan;
- The appropriateness of the size and dimensioning of the lots proposed, relative to the surrounding area;
- The treatment of existing vegetation on the lands, in addition to consideration for future landscaping;
- The resolution of remnant subdivision parcels, currently being held by the City in escrow, proposed to be developed as part of the subject application (confirmation that satisfactory arrangements have been made to acquire these parcels from the developer of Plans 43M-1246 and 43M-1290);
- Resolution of right-of-way and daylight triangle requirements along Second Line West;
- Submission of an archeological study;
- Resolution of matters respecting storm water servicing;
- The identification of any sustainable green technology to be used in the proposed development.

#### **OTHER INFORMATION**

#### **Development Requirements**

In conjunction with the proposed development, there are certain other engineering and conservation matters with respect to storm water servicing, which will require the applicant to enter into the

Planning and Development		January 27, 2009	
	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 paya requirements of the applicable Dev the City as well as financial requir agency concerned with the develop	velopment Charges By-law of ements of any other official	
CONCLUSION:	Once all agency and City departme received and after the public meeti and Building Department will be in recommendation regarding these a	ing has been held, the Planning n a position to make a	
ATTACHMENTS:	Appendix I-1 - Site History Appendix I-2 - Aerial Photograph Appendix I-3 - Excerpt of Meadow Map Appendix I-4 - Excerpt of Existing Appendix I-5 - Draft Plan of Subd Appendix I-6 - Building Elevation Appendix I-7 - Agency Comments Appendix I-8 - School Accommod Appendix I-9 - Detailed Zoning Pr Appendix I-10- General Context M	g Land Use Map ivision/Concept Plan s s lation rovisions	

Edward R. Sajecki Commissioner of Planning and Building

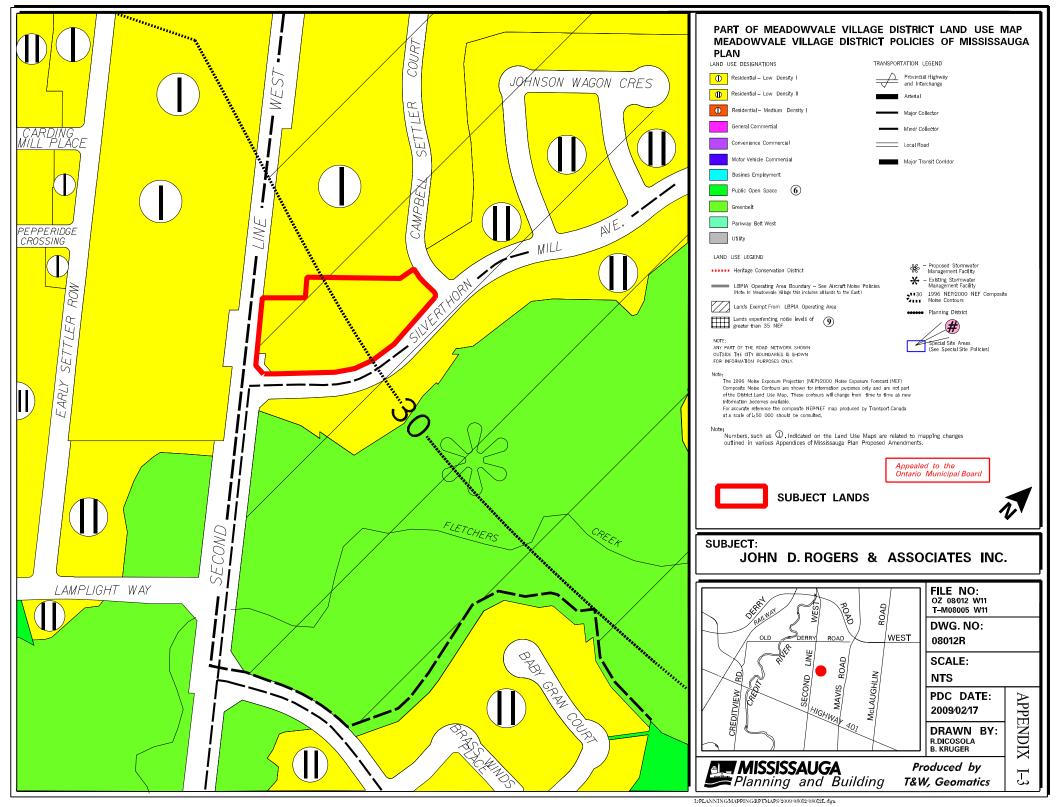
Prepared By: Rob Hughes, Development Planner

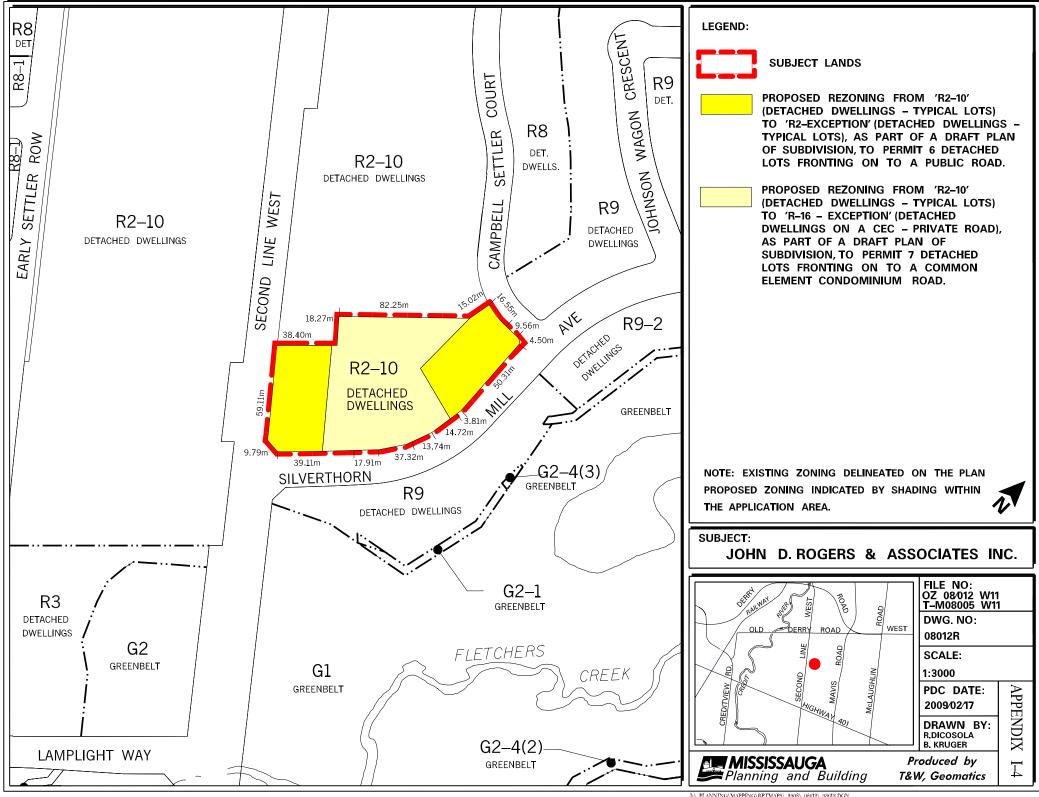
#### **Site History**

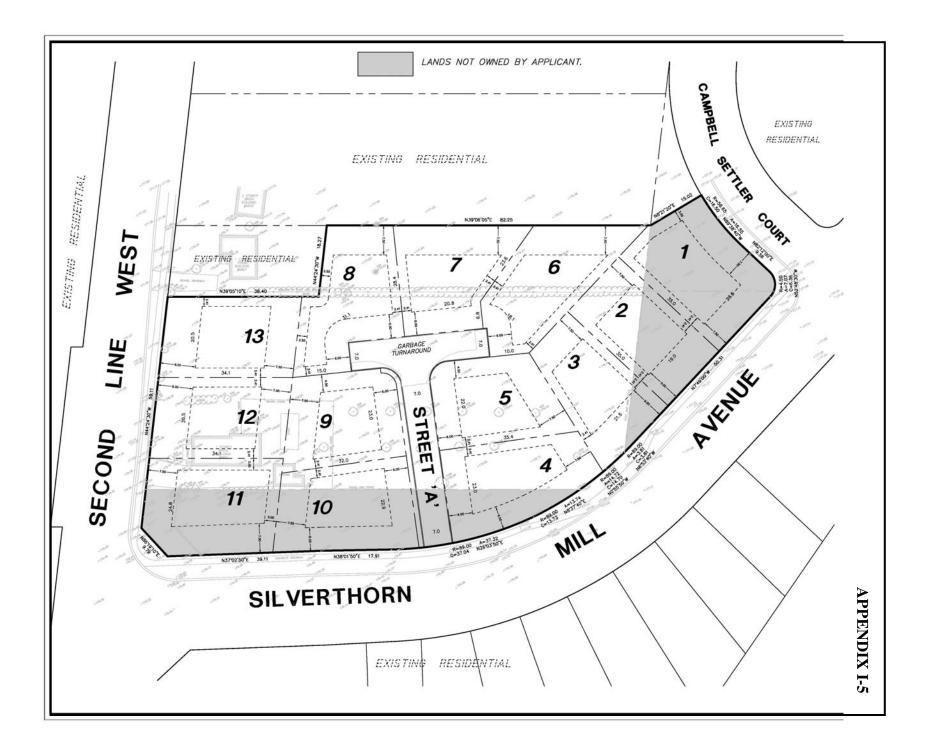
- September 1997 & June 1998 Plans 43M-1246 and 43M-1290 are registered, resulting in the creation of Silverthorn Mills Avenue and Campbell Settler Court, which form the southern and eastern boundaries for the subject lands.
- May 5, 2003 The Region of Peel approved the Mississauga Plan Policies for the Meadowvale Village District, designating the subject lands as "Residential Low Density I".
- 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 "R2-10" (Detached Dwellings-Typical Lots).



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# Files: OZ 08/012 W11 and T-M08005 W11

### **Agency Comments**

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

Agency / Comment Date	Comment
Greater Toronto Airports Authority (November 18, 2008)	Airport Zoning Restrictions: According to the Airport Zoning Regulations for Toronto Pearson International Airport, development elevations on the subject property are affected by the Approach Surface for Runway 05 (future designation 05L) and the Approach Surface for proposed Runway 05R. The maximum allowable development elevation under this restriction ranges from approximately 311 m A.S.L. (Above Sea Level) (1,020 ft.) at the eastern boundary of the property to approximately 314 m A.S.L. (1,030 ft.) at the western boundary. Based on the information provided, the height of the proposed residential dwellings would be within the allowable height limits associated with the Regulations. Noise Impacts: The subject property is located within the Exempt Area of the Toronto Pearson International Airport Operating Area (AOA) and within both the 28-30 and 30-35 NEF/NEP of the composite contour map for Toronto Airport. Due to the proximity of the proposed development to the Airport and its location within the 30-35 NEF/NEP, the GTAA would like to negotiate an Aircraft Noise Warning Agreement for the subject property, including the installation of a Permanent Noise Warning Sign. The Aircraft Noise Warning Agreement would stipulate that as a condition of subdivision approval, the Developer must enter into a registerable Development Agreement which contains, among other things,
	construction conditions and warning clauses for residential
	development on the site.
Region of Peel	Municipal sanitary sewer facilities consist of a 250 mm sewer
(January 2009)	on Silverthorn Mill Avenue and a 300 mm sewer on Second
	Line West. Municipal water facilities consist of a 300 mm
	diameter. water-main located on Silverthorn Mill Avenue and

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# Files: OZ 08/012 W11 and T-M08005 W11

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Agency / Comment Date	Comment		
	a 400 mm water-main on Second Line West. Regional roads are not adversely affected. The Region will provide curb side waste collection. The developer will be required to enter into a Condominium Water Servicing Agreement with the local Municipality and Region for the construction of sewer and water associated with the lands. T he applicant/owner shall also grant/obtain (at no cost to the Region) all necessary easements for Regional infrastructures, as may be required by the Region to service proposed development and/or external lands.		
Dufferin-Peel Catholic District School Board and the Peel District School Board (November,2008)	In comments, dated December, 2008, the Peel District School Board and the Dufferin-Peel Catholic District School Board responded that they are satisfied with the current provision of educational facilities for the catchment area and, as such, the school accommodation condition as required by City of Mississauga Council Resolution 152-98 pertaining to satisfactory arrangements regarding the adequate provision and distribution of educational facilities need not be applied for these development applications.		
	In addition, if approved, the Peel District School Board and/or the Dufferin-Peel Catholic District School Board also require that the Board requires certain clauses be placed either within the Development/Servicing Agreement, or within any agreement of purchase and sale entered into with respect to any lots on this plan.		
Credit Valley Conservation	As the lands are outside of CVC's regulated area and the parcel		
(October 29, 2008)	is less than 5 ha (12.3 ac), this agency has no comments.		
City Community Services Department – Planning, Development and Business Services Division (December 22, 2008)	This Department notes that Old Ridge Park (P#391) and Gooderham Park (P#395) are located approximately 400 m (1,312 ft) and 425 m (1,394 ft) from the site respectively. Old Ridge Park contains a play site and soccer field, and Gooderham Park contains a play site, soccer field, and baseball diamond.		

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# Files: OZ 08/012 W11 and T-M08005 W11

Agency / Comment Date	Comment		
	Prior to the preparation of the Supplementary Report, the applicant is to submit an Archaeological Assessment, to be reviewed and accepted by this Department.		
	Should this application be approved, payment for street trees and trail signage will be required. Further, prior to the issuance of building permits, cash-in-lieu of parkland dedication 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.		
City Community Services Department – Fire and Emergency Services Division (December 23, 2008)	This proposal is located within the response area of Fire Station 121. At present average travel times to emergencies in this area of the City is 1.7 minutes based on normal traffic and weather conditions. Flow test data from the existing water supply system indicates the potential for an adequate supply of water for fire protection purposes. The private road is to be designed in conformance with bylaw 1036-81, and designated as a fire route.		
City Transportation and Works Department (January, 2009)	Prior to the preparation of the Supplementary Report, the applicant will be required to provide written confirmation that satisfactory arrangements have been made to acquire the necessary parcels from the developer of Plans 43M-1246 and 43M-1290. Since the application also contemplates the acquisition of a portion of the existing Second Line West Right-of-Way, the applicant is to make the appropriate application to pursue this land acquisition. In addition, the applicant will be required to submit an updated Functional Servicing Report. Additional comments will be provided pending the review of the above-noted items.		
Enersource Hydro Mississauga (October 30, 2008)	This agency has no objection to the rezoning of these lands. Initial supply could be made available subject to timing, prior use and coordination with adjacent lands. The draft plan of subdivision shall be subject to certain conditions.		
Other City Departments and External Agencies	The following City Departments and external agencies offered no objection to these applications provided that all technical		

# Files: OZ 08/012 W11 and T-M08005 W11

Agency / Comment Date	Comment	
	matters are addressed in a satisfactory manner:	
	- Bell Canada (subject to certain draft plan conditions)	
	- Hydro One	
	- Planning & Building, Development Services	
	The following City Departments and external agencies were	
	circulated the applications but provided no comments:	
	- Realty Services	
	- French District Catholic School Boards	
	- Rogers Cable	

# Files: OZ 08/012 W11 and T-M08005 W11

### **School Accommodation**

The Peel District School Board			The Dufferin-Peel Catholic District School Board	
• Student Yield:		•	• Student Yield:	
1 Grade	rgarten to Grade 6 7 to Grade 8 9 to Grade 12/OAC			Junior Kindergarten to Grade 8 Grade 9 to Grade 12/OAC
School Accommod	lation:	•	School Acco	mmodation:
Meadowvale Villa	ge Public School		St. Julia Elementary School	
Enrolment:	645		Enrolment:	603
Capacity:	699		Capacity:	609
Portables:	0		Portables:	0
David Leeder Mid	dle School		St. Marcellinus Secondary School	
Enrolment:	811		Enrolment:	1,307
Capacity:	868		Capacity:	1,521
Portables:	0		Portables:	0
Mississauga Secondary School				
Enrolment:	1,335			
Capacity:	1,551			
Portables:	0			

Files: OZ 08/012 W11 and T-M08005 W11

### **Detailed Zoning Provisions**

"R2-Exception" (Detached Dwellings-Typical Lots), to permit detached dwellings, on a public road. As part of the rezoning, the applicant is proposing that the following exceptions to the standard zoning be applied:

	R2-10 Zone (existing)	Proposed R2-Exception	R2 General Zone
Minimum Lot Area - Interior	695 m <sup>2</sup> (7,481 ft <sup>2</sup> )	$660 \text{ m}^2 (7,104 \text{ ft}^2)$	$695 \text{ m}^2 (7,481 \text{ ft}^2)$
Minimum Lot Area - Corner	810 m <sup>2</sup> (8,719 ft <sup>2</sup> )	800 m <sup>2</sup> (8,611 ft <sup>2</sup> )	$810 \text{ m}^2(8,719 \text{ ft}^2)$
Maximum Lot Coverage	25%	30%	30%
Maximum height-highest ridge: sloped roof	9.5 m (31.1 ft.)	10.7 m (35 ft.)	10.7 m (35 ft.)
Maximum projection of the garage beyond any portion of the front wall of the first storey	0.0 m (0.0 ft.)	0.0 m (0.0 ft.)	-
Flat Roof	Not permitted	Permitted	Permitted

**"R16-Exception" (Detached Dwellings on a CEC-Private Road)**, to permit detached dwellings, on a CEC private road. As part of the rezoning, the applicant is proposing that the following exceptions to the standard zoning be applied:

	R2-10 Zone (existing)	Proposed R16-Exception	R16 General Zone
Minimum Lot Area - Interior	695 m <sup>2</sup> (7,481 ft <sup>2</sup> )	$660 \text{ m}^2 (7,104 \text{ ft}^2)$	550 m <sup>2</sup> (5,920 ft <sup>2</sup> )
Minimum Lot Area - Corner	810 m <sup>2</sup> (8,719 ft <sup>2</sup> )	740 m <sup>2</sup> (7,965 ft <sup>2</sup> )	$720 \text{ m}^2 (7,750 \text{ ft}^2)$
Minimum Lot Frontage - Interior	18 m (59 ft.)	18 m (59 ft.)	15.0 m (49 ft.)
Minimum Lot Frontage - Corner	21 m (68.9 ft.)	21 m (68.9 ft.)	19.5 m (64 ft.)
Minimum Front Yard - Interior Lot	9 m (29.5 ft.)	6.0 m (19.7 ft.)	7.5 m (24.6 ft.)
Minimum Front Yard - Corner Lot	7.5 m (24.6 ft.)	6.0 m (19.7 ft.)	7.5 m (24.6 ft.)

### Files: OZ 08/012 W11 and T-M08005 W11

Minimum Exterior Side Yard	7.5 m (24.6 ft.)	4.5 m (14.8 ft.)	6.0 m (19.7 ft.)
Maximum Height	9.5 m (31 ft.)	10.7 m (35.1 ft.)	10.7 m (35.1 ft.)
Flat roof	Not permitted	Permitted	Permitted
Maximum Lot Coverage	25%	30%	35%
Minimum Parking Spaces	2 spaces per unit	3 spaces per unit 0 visitor spaces	2 residential spaces per unit 0.25 visitor spaces per unit

