



Corporate Report

Clerk's Files

Originator's

Files OZ 07/005 W4
T-M07002 W4

DATE: March 10, 2009

TO: Chair and Members of Planning and Development Committee
Meeting Date: March 30, 2009

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Rezoning and Draft Plan of Subdivision Applications
To permit five detached dwellings
Part of Lot 10, Plan A-24
East of Wilcox Road, north of Rathburn Road East
Owner: Dan-Con Developments Ltd.
Applicant: Larkin and Associates
Bill 51**

Supplementary Report

Ward 4

RECOMMENDATION: That the Report dated March 10, 2009, from the Commissioner of Planning and Building recommending approval of the applications under Files OZ 07/005 W4 and T-M07002 W4, Dan-Con Developments Ltd., Part of Lot 10, Plan A-24, be adopted in accordance with the following:

1. That the application to change the Zoning from "R3" (Detached Dwellings) to "R4-Exception" (Detached Dwellings) to permit 5 detached dwellings in accordance with the proposed zoning standards described in this report, be approved subject to the following conditions:
 - (a) That the draft plan of subdivision, be approved.

- (b) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development.
- 2. That the Plan of Subdivision under file T-M07002 W4, be recommended for approval subject to the conditions contained in Appendix S-3, attached to the report dated March 10, 2009, from the Commissioner of Planning and Building and those from any other official agency.
- 3. That the decision of Council for approval of the rezoning application be considered null and void, and a new development application be required unless a zoning by-law is passed within 36 months of the Council decision.

BACKGROUND:

A public meeting was held by the Planning and Development Committee on September 29, 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-0071-2008 which was subsequently adopted by Council and is attached as Appendix S-2.

COMMENTS:

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

COMMUNITY ISSUES**Comment**

Residents indicated that they are opposed to the proposed development because it will prevent the future development of lands to the south and west of the subject lands. They advised that it would be in the best interest of the neighbouring residents if Kozel Court is extended as a straight through road rather than the proposed cul-de-sac.

Response

The proposed cul-de-sac will not prevent the future development of the properties south and west of the subject lands. During the processing of the applications it was determined that due to existing grades, servicing constraints and split drainage, extending the proposed road further south of the subject lands to Rathburn Road East is prohibitive.

On February 18, 2009, Councillor Frank Dale, Ward 4, held a meeting involving the neighbouring residents, the applicant and City staff. The residents were advised that because of design and depth of sanitary and storm sewers, fill requirements, grading and high retaining walls, Kozel Court cannot be extended further south of the subject lands. The lands to the west can be developed at the same time as the subject applications through the land severance process, if the appropriate frontages along Kozel Court are dedicated and all other approvals are obtained from the City. The lands to the south can be developed through the processing of a draft plan of subdivision with a cul-de-sac that can extend north from either Wilcox Road or Rathburn Road East.

**UPDATED AGENCY AND CITY DEPARTMENT
COMMENTS****Transportation and Works Department**

Comments updated on December 23, 2008, indicated that the Noise Assessment dated January 2007 was received, and concluded 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 the Environment guidelines.

The draft plan and grading plan have been updated to depict additional information and the Functional Servicing Report was updated to confirm the additional details that were requested by this department. Further, a satisfactory Phase 1 ESA has been submitted.

In the event that these applications are approved by Council, the owner will be required to make satisfactory arrangements with the City and the Region for the construction and dedication of the road and municipal services required in support of the development. In addition, satisfactory arrangements will be made with the City to address the surplus lands, temporary part blocks to allow access, and the removal of the existing and future temporary cul-de-sac created by the new extension of Kozel Court.

PLANNING COMMENTS

Official Plan

The proposal conforms to the housing form and density provisions of the "Residential Low Density I" designation of the Mississauga Plan Policies for the Rathwood District. The subdivision will reinforce the character of the local community and respect the immediate context of the area.

The development will adequately respond to the applicable policies of Special Site 1 which require that the built form and scale maintain compatibility with existing land uses.

Zoning

The proposed "R4-Exception" (Detached Dwellings) zone category is appropriate to accommodate the proposed detached dwellings on lots with minimum frontages of 12 m (39.4 ft.).

The applicant has requested a reduced minimum front yard from 6 m (19.7 ft.) to 4.2 m (13.8 ft.) due to the need to construct a wider pavement and boulevard within the subject lands on a temporary basis until the lands to the west are developed. When the lands to the west are developed, Kozel Court will be realigned and adjusted with permanent pavement and boulevard location in accordance with the City's design standards for a cul-de-sac. Staff have no concerns with the requested variance and will ensure that the appropriate provisions are incorporated into the implementing zoning by-law.

Green Development Initiatives

In a letter dated November 11, 2008, the applicant has advised that the proposed homes will support the energy star rating and include furnaces, thermostats and fireplaces that will be energy star qualified and contain sealed heating and cooling systems. All windows, glass doors and skylights will comply with the energy star requirements and water efficiency will be maximized by installing efficient faucets and fixtures.

Draft Plan of Subdivision

The proposed plan of subdivision was reviewed by City Departments and agencies and is acceptable subject to certain conditions (see Appendix S-3).

Since the lands are the subject of a Draft Plan of Subdivision under File T-M07002 W4, 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 rezoning and draft plan of subdivision is acceptable from a planning standpoint and should be approved for the following reasons:

1. The proposal implements the policy direction of Mississauga Plan and is compatible with the surrounding land uses by respecting the scale and character of existing development.
2. The proposed "R4-Exception" (Detached Dwellings) zone is appropriate to implement the proposed subdivision.

3. The draft plan of subdivision provides an appropriate lotting pattern, and will result in an orderly form of development and not preclude the future development of adjoining lands.

ATTACHMENTS:

Appendix S-1 - Information Report

Appendix S-2 - Recommendation PDC-0071-2008

Appendix S-3 – Conditions of Draft Approval

original signed by

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: Haig Yeghouchian, Development Planner



Corporate Report

Clerk's Files

Appendix S-1

Originator's

Files OZ 07/005 W4

T-M07002 W4

PDC SEP 29 2008

DATE: September 9, 2008

TO: Chair and Members of Planning and Development Committee
Meeting Date: September 29, 2008

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, Plan A-24
East of Wilcox Road, north of Rathburn Road East
Owner: Dan-Con Developments Ltd.
Applicant: Larkin and Associates
Bill 51

Public Meeting **Ward 4**

RECOMMENDATION: That the Report dated September 9, 2008, from the Commissioner of Planning and Building regarding the application to change the Zoning from "R3" (Detached Dwellings) to "R4 - Exception" (Detached Dwellings) and a Draft Plan of Subdivision under files OZ 07/005 W4 and T-M07002 W4 respectively, to permit five (5) detached dwellings, Dan-Con Developments Ltd., Part of Lot 10, Plan A-24, be received for information.

BACKGROUND: The proposal is an infill residential development. The applicant intends to extend Kozel Court to the south to permit five (5) detached dwellings.

The applications have been circulated for technical comments and community meetings have been held. 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 are as follows:

Development Proposal	
Applications submitted:	March 8, 2007
Applications complete:	May 8, 2007
Number of Units:	5 detached dwellings
Net Density:	17.8 units/ha (7.2 units/acre) with the temporary cul-de-sac
Net Density:	16.8 units/ha (6.8 units/acre) with the permanent cul-de-sac
Anticipated Population:*	17 persons *Average household sizes for units for the year 2011 (city average) based on the 2005 Growth Forecasts for the City of Mississauga.
Supporting Documents:	Planning Justification Report Noise Feasibility Study Functional Servicing Report Tree Inventory Report

Site Characteristics	
Frontage:	16.2 m (53.1 ft.) on Kozel Court
Depth:	73.13 m (239.92 ft.)
Gross Lot Area:	0.37 ha (0.91 ac.)
Existing Use:	Vacant

Additional information is provided in Appendices I-1 to I-10.

Neighbourhood Context

The subject property is located in the Rathwood District which is a residential district within the block bounded by Cawthra Road, Wilcox Road, Meadows Boulevard and Rathburn Road East. This block is occupied by detached dwellings mostly on deep lots (average depth - 90 m (295 ft.)). As outlined in Appendix I-1, since 1998, development approvals have been granted which have resulted in the creation of Kozel Court and allowed the rear of existing lots to be developed for detached dwellings. The subject land is the remnant parcel from those prior approvals. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

North: Detached dwellings and a vacant residential lot

East: Detached dwellings

South: Detached dwellings

West: Detached dwellings

Current Mississauga Plan Designation and Policies for Rathwood District (May 5, 2003)

"**Residential Low Density I**" which permits detached, semi-detached, and duplex dwellings to a maximum density of 17 units per net residential hectare (6.9 units per net residential acre). The subject lands are also part of Special Site 1 in the Rathwood District Policies which applies to lands bounded by Meadows Boulevard, Rathburn Road East, Cawthra Road and Wilcox Road, and contains specific policies to guide the redevelopment of this area. The Special Site policies are set out in Appendix I-8.

The applications are in conformity with the land use designation and no official plan amendment is being proposed.

Existing Zoning

"**R3 (Detached Dwellings)**", which permits detached dwellings on lots with minimum frontages of 15.0 m (49.2 ft.) and minimum areas of 550 m² (5,020 sq. ft.).

Proposed Zoning By-law Amendment

"R4 - Exception" (Detached Dwellings), to permit detached dwellings on lots with minimum frontages of 12.0 m (49.2 ft.) and minimum areas of 464 m² (4,994.6 sq. ft.).

As part of the rezoning, the applicant is proposing to reduce the minimum front yard of the dwellings from 6.0 m (19.7 ft.) to 4.2 m (13.8 ft.). This variance is required because of the proposed temporary cul-de-sac location. All other "R4" (Detached Dwellings) zone provisions will be maintained.

COMMUNITY ISSUES

A community meeting was held by Ward 4, Councillor Frank Dale on June 25, 2008. A follow-up meeting was held on July 4, 2008, in order to respond to engineering related questions. The following provides a summary of the discussions:

Comment

Some of the area residents expressed an interest in developing the rear portion of their property. They wanted to know why the applicant is not proposing a straight road that could be extended in the future to intersect with Rathburn Road East or if the proposed cul-de-sac could be extended further to the south. They also wanted to be assured that the subject applications will not prevent the future development of their lands and that the City is taking safeguards to protect their interest.

Response

Staff and the applicant's consultant explained that there are engineering constraints associated with grading, a retaining wall, a servicing easement and split drainage that would make a straight road connection to Rathburn Road East difficult and expensive to achieve. A straight road would also require the support of all landowners that would be affected and necessitate the applicant to amend the subject applications. The residents were also informed that it would be difficult to extend the proposed cul-de-sac further

south because of grading concerns, servicing constraints and the need for an easement through a neighbouring resident's property in order to connect to the existing facilities on Wilcox Road.

The residents were advised that the proposed cul-de-sac will not preclude future development of their property and that the applicant's draft plan of subdivision shows how their lands to the east and south could be developed in the future. They were also assured that if the applications are approved, the developer will be required to enter into development and servicing agreements and the City will hold securities to safeguard the interests of the proposed and future developments in the area.

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:

- environmental site assessment to ensure that the site is suitable for residential development;
- updated functional servicing report that includes provisions related to the temporary cul-de-sac, driveway locations and a proposed retaining wall; and
- the identification of any sustainable green technology to be used in the proposed development.

OTHER INFORMATION

Development Requirements

The documents listed in the comments section of this report submitted with the applications have been reviewed, comments have been provided to the applicant and additional information has been requested. Prior to the finalization of the Supplementary Report, all outstanding comments will have to be addressed.

In conjunction with the proposed development, there are certain other engineering matters 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 under file T-M07002 W4, if the applications are approved.

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 and all outstanding concerns are resolved, 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 Rathwood District Land Use Map
Appendix I-4 - Excerpt of Existing Land Use Map
Appendix I-5 - Draft Plan of Subdivision
Appendix I-6 - Agency Comments
Appendix I-7 - School Accommodation
Appendix I-8 - Relevant Mississauga Plan Policies
Appendix I-9 - Sample Elevations
Appendix I-10 - General Context Map

original signed by

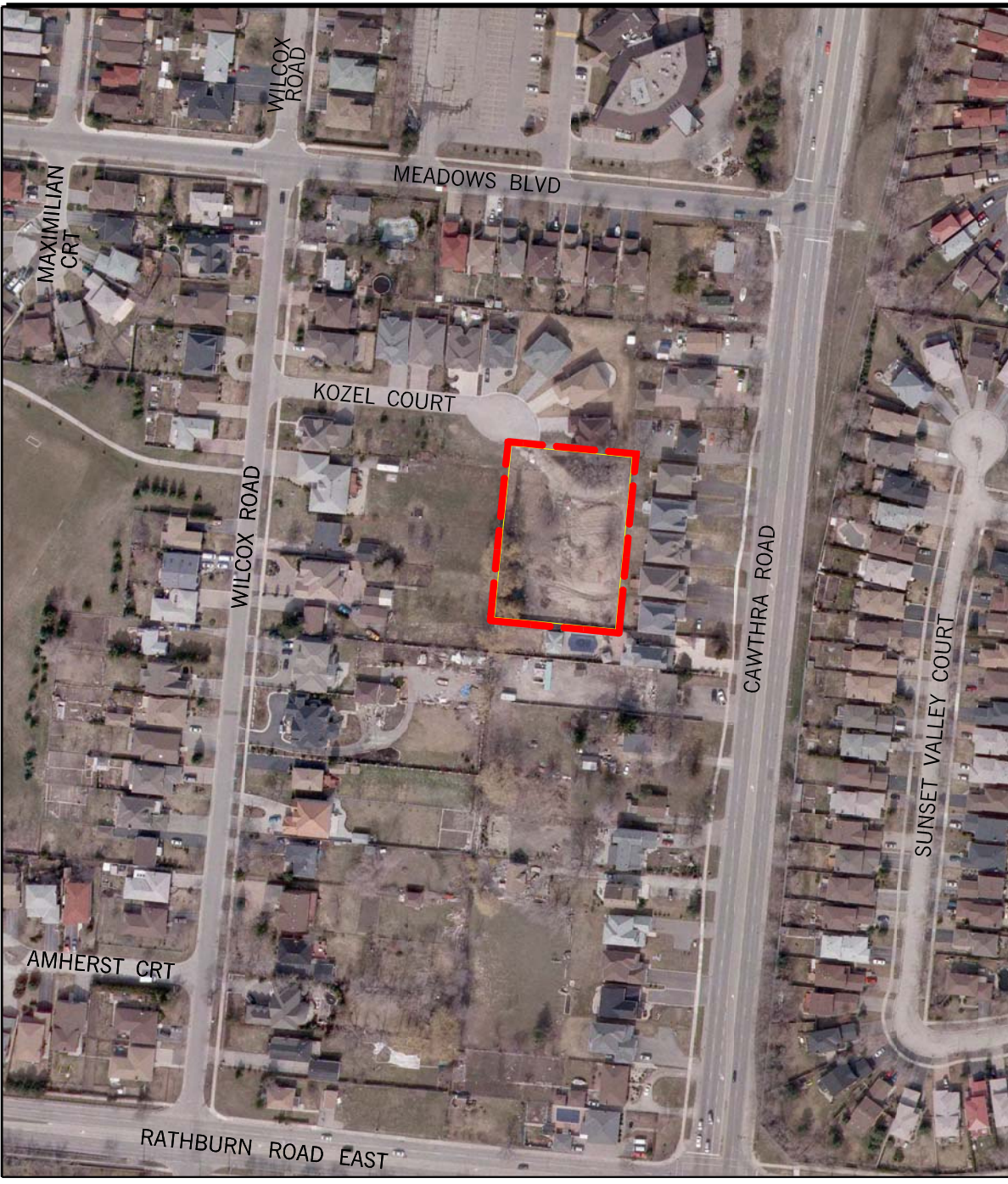
Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: Haig Yeghouchian, Development Planner

Dan-Con Developments Ltd.**File: OZ05007 W4
T-M07002 W4****Site History**

- June 18, 1998 - The Ontario Municipal Board approved rezoning and draft plan of subdivision applications under files OZ 94/28 W4 and T-M94010 W4, respectively, to permit an infill subdivision on Kozel Court to accommodate six (6) detached dwellings.
- October 29, 2002 - City Council approved Draft Plan of Subdivision application under file T-M01005 W4 subject to conditions, to permit an infill subdivision to accommodate five (5) detached lots (three (3) on Kozel Court and two (2) on Cawthra Road.).
- May 5, 2003 - The Region of Peel approved Mississauga Plan Policies for the Rathwood District which came into full force and effect except for matters under appeal to the Ontario Municipal Board. The appeals were unrelated to the subject lands, therefore, the new policies in Mississauga Plan apply.
- January 19, 2006 - The Committee of Adjustment approved a consent application under file 'B' 006/06 to sever the subject lands from land with frontage on Cawthra Road. The lands fronting on Cawthra Road were further divided through land division under files 'B' 001/06 to 'B' 005/06 to create five (5) detached dwelling lots. The remaining severed lands (subject lands) were to be developed through a subdivision application with a frontage on Kozel Court. The Committee of Adjustment also approved a minor variance application under file 'A' 018/06 and permitted the severed lands to have a 0.0 m (0.0 ft.) lot frontage.
- 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 R3 (Detached Dwellings).



LEGEND:



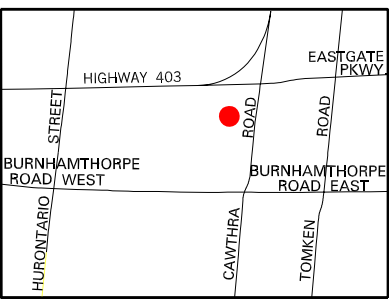
SUBJECT LANDS

DATE OF AERIAL PHOTO: JULY 2008



SUBJECT:

DAN-CON DEVELOPMENTS LTD



FILE NO:
OZ 07005 W4
T-M07002 W4

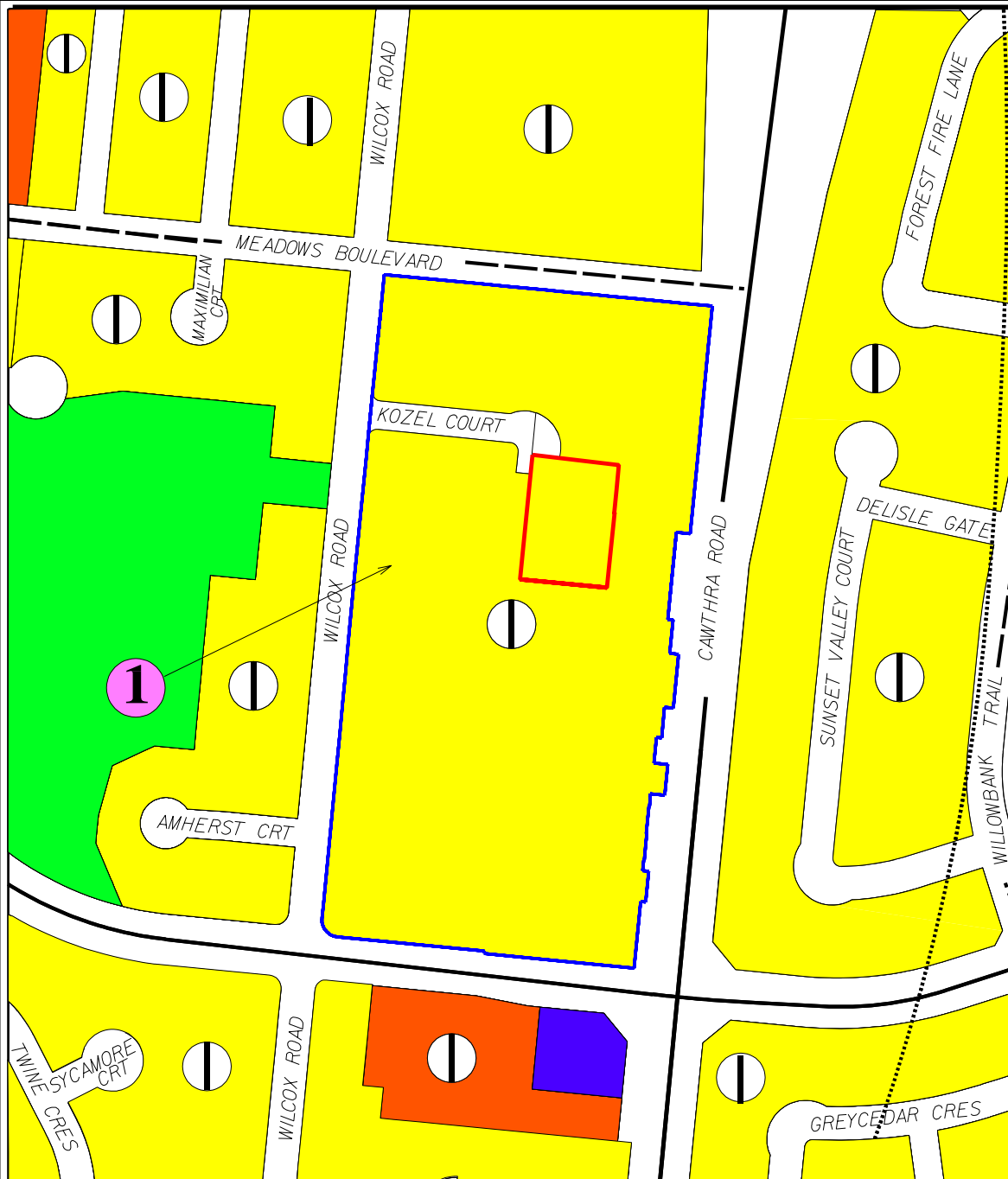
DWG. NO:
07005A

SCALE:

NTS

PDC DATE:
2008 09 29

DRAWN BY:
R.DICOSOLA



PART OF RATHWOOD DISTRICT LAND USE MAP **RATHWOOD 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
- Parkway Belt West
- Utility

TRANSPORTATION LEGEND

- Provincial Highway and Interchange
- Arterial
- Major Collector
- Minor Collector
- Local Road
- Bus Rapid Transit Corridor
- Bus Rapid Transit Station
- Major Transit Corridor

LAND USE LEGEND

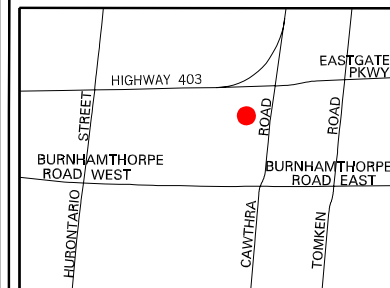
- Regulatory Floodplain
- Node Boundary
- 1996 NEP/2000 NEF Composite Noise Contours
- Planning District
- Special Site Areas (See Special Site Policies)

SUBJECT LANDS



SUBJECT:

DAN-CON DEVELOPMENTS LTD.



FILE NO:
OZ 07/005 W4
T-M07002 W4

DWG. NO:
07005L

SCALE:

1:5000

PDC DATE:
2008 09 29

DRAWN BY:
R.DICOSOLA

APPENDIX 1-3

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics

LEGEND:



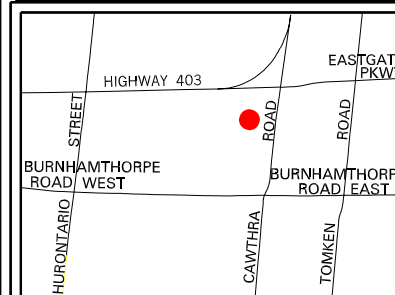
PROPOSED REZONING FROM "R3" (DETACHED DWELLINGS) TO "R4-EXCEPTION" (DETACHED DWELLINGS) TO PERMIT DETACHED DWELLINGS ON LOTS WITH MINIMUM FRONTAGES OF 12 M (39.4 FT) AND MINIMUM AREAS OF 464 SQ. M (4,994.6 SQ. FT).

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



SUBJECT:

DAN - CON DEVELOPMENTS LTD



FILE NO:
OZ 07005 W4
T-M07002 W4

DWG. NO:

07005R

SCALE:

1:2500

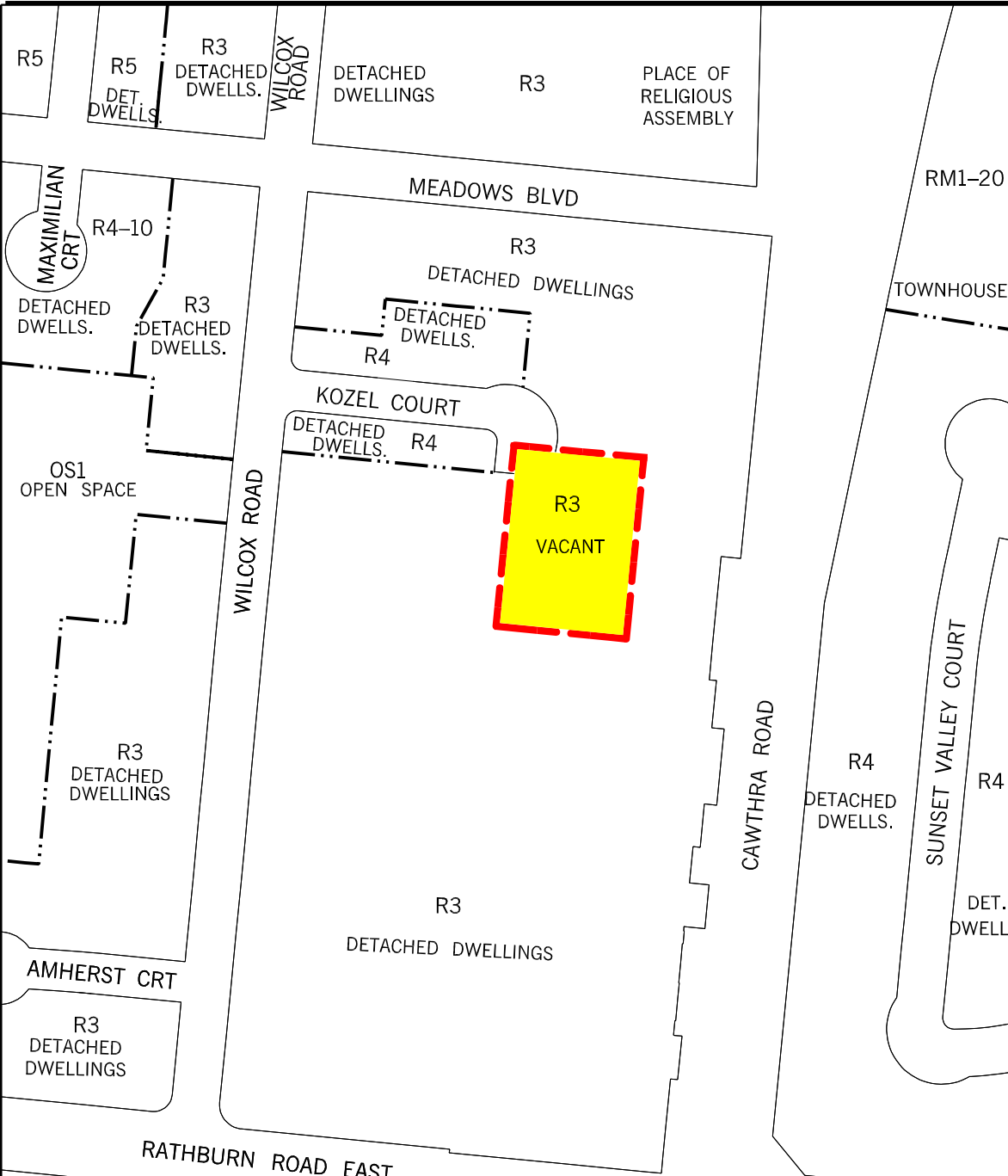
PDC DATE:

2008 09 29

DRAWN BY:

R.DICOSOLA

APPENDIX 1-4



APPENDIX I-5
OZ 07/005 W4
T-M07002 W4

AL

EXISTING LOT PATTERN

EX. RESIDENTIAL

LIMIT OF SUBMISSION

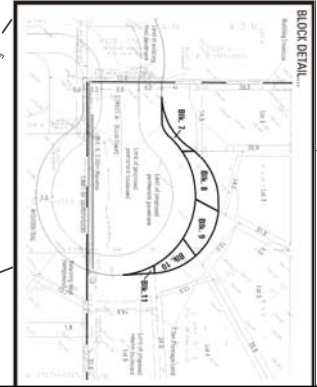
Retaining Wall
(temporary)

LIMIT OF SUBDIVISION

RESIDENTIAL

POTENTIAL LOT PATTERN

BLOCK DETAIL.



Dan-Con Developments Ltd.**File:OZ 07/005 W4****T-M07002 W4****Agency Comments**

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

Agency / Comment Date	Comment
Region of Peel (June 18, 2007) (July 24, 2008)	<p>Municipal sanitary sewer facilities consist of a 250 mm (9.8 in.) diameter sewer on Kozel Court. Municipal water facilities consist of a 150 mm (6 in.) diameter watermain on Kozel Court.</p> <p>The Region of Peel has no objection to the approval of these applications and has indicated that the proposal is consistent with the intensification policies of the Provincial Policy Statement (2005) and the Region of Peel Official Plan.</p>
Greater Toronto Airport Authority (May 17, 2007) (August 22, 2008)	The subject property lies within the 25-28 NEF/NEP of the composite contour map for Toronto Pearson International Airport. According to the Airport Zoning Regulations, the proposed development elevations on the property are not affected by any airport restrictions.
Dufferin-Peel Catholic District School Board (June 8, 2007) (August 12, 2008) Peel District School Board (June 14, 2007) (August 11, 2008)	<p>The Boards have indicated 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 this development.</p> <p>The Boards have also requested that warning clauses with respect to temporary school accommodation and transportation arrangements be included in any servicing and/or development agreements.</p>
City Community Services Department - Planning, Development and Business Services Division (May 17, 2007) (July 18, 2008)	This Department has indicated that Meadow Glen Park is located approximately 160 m (525 ft.) from the subject lands. This park contains a playground, two (2) baseball diamonds, a soccer field and a pathway system. Should these applications be approved, a cash contribution for street tree planting will be required prior to the registration of the subdivision.

Dan-Con Developments Ltd.

File:OZ 07/005 W4

T-M07002 W4

Agency / Comment Date	Comment
	Prior to the issuance of building permits, cash-in-lieu of parkland for park or other public recreational purposes is required pursuant to section 42 of the <i>Planning Act</i> and in accordance with the City's policies and by-laws.
City Community Services Department - Recreation and Parks/Forestry Operation Division (August 19, 2008)	This Division has advised that they have reviewed the applicant's Arborist Report and they are satisfied with the findings and recommendations of the Report with respect to tree removal.
City Transportation and Works Department (June 15, 2007) (August 14, 2008)	<p>This Department has advised that a Noise Feasibility Study 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 the Ministry of Environment guidelines.</p> <p>Prior to a Supplementary Report, the applicant will be required to revise the draft plan and grading plan to depict additional information. The Functional Servicing Report is to be updated to confirm additional details and a Phase 1 Environmental Site Assessment must be submitted for review. Updated comments or conditions will be provided during the finalization of the Supplementary Report upon reviewing the foregoing.</p> <p>In the event that these applications are approved by Council, the owner will be required to make satisfactory arrangements with the City and the Region 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>City Community Services Department - Fire and Emergency Services Division City Corporate Services Department - Facilities and Property Management/Realty Division Enersource Hydro Mississauga</p>

Dan-Con Developments Ltd.**File:OZ 07/005 W4
T-M07002 W4**

Agency / Comment Date	Comment
	Canada Post Corporation Enbridge Gas Distribution Inc. Enbridge Pipelines Inc. Hydro One Bell Canada Rogers Cable
	The following City Departments and external agencies were circulated the applications but provided no comments: French District Catholic School Board Conseil Scolaire de District Catholique Centre - Sud Conseil Scolaire de District Catholique Centre - Sud Ouest Sun-Canadian Pipe Line Company Ltd. Trans-Northern Pipelines Inc. Praxair Canada Inc. Sarnia Products Pipe Line (Imperial Oil)

Dan-Con Developments Ltd.**File: OZ 07/005 W4****T-M07002 W4****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"> 1 Kindergarten to Grade 5 1 Grade 6 to Grade 8 1 Grade 9 to Grade 12 School Accommodation: <ul style="list-style-type: none"> Briarwood Public School <ul style="list-style-type: none"> Enrolment: 525 Capacity: 549 Portables: 0 The Valleys Senior <ul style="list-style-type: none"> Enrolment: 570 Capacity: 550 Portables: 0 TL Kennedy Secondary School <ul style="list-style-type: none"> Enrolment: 842 Capacity: 1242 Portables: 0 	<ul style="list-style-type: none"> Student Yield: <ul style="list-style-type: none"> 1 Junior Kindergarten to Grade 8 1 Grade 9 to Grade 12 School Accommodation: <ul style="list-style-type: none"> St. Charles Garnier <ul style="list-style-type: none"> Enrolment: 279 Capacity: 210 Portables: 8 John Cabot Secondary School <ul style="list-style-type: none"> Enrolment: 979 Capacity: 933 Portables: 0

Dan-Con Developments Ltd.

File: OZ 07/005 W4
T-M07002 W4**Relevant Rathwood District Policies of Mississauga Plan****Special Site Policies - Site 1**

The lands identified as Special Site 1 are located west of Cawthra Road and north of Rathburn Road East.

Notwithstanding the provisions of the Residential Low Density I designation of this Plan, the following additional policies will apply:

- a. a concept plan for all or part of this site may be required and will address, among other matters, the following:
 - 1. Compatibility of building form and scale with existing surrounding land uses;
 - 2. Convenient pedestrian access through this site to nearby transit service on Rathburn Road East, Cawthra Road and the future Mississauga **Bus Rapid Transit (BRT)** facility; (MPA-25);
 - 3. The potential to access all lands designated Residential Low Density I from Rathburn Road East;
 - 4. Traffic generated will not adversely affect the transportation system;
 - 5. Acceptable ingress and egress, off-street parking, landscaping and buffering;
 - 6. Preservation of mature trees and other significant natural features;
- b. the concept plan will be required to address, to the satisfaction of the City of Mississauga and the Region of Peel, matters relating to transportation and access onto Cawthra Road;
- c. Mississauga will permit the severance of the rear portions of lots fronting on Wilcox Road to encourage the assembly and comprehensive **redevelopment** of all Residential Low Density I lands in Special Site 1;
- d. individual frontages on the east side of Wilcox Road will be developed in keeping with lot frontages on the west side of Wilcox Road;
- e. the **redevelopment** of all lands designated Residential Low Density I will minimize access points to Cawthra Road to preserve the integrity of Cawthra Road as a major arterial roadway;
- f. access to individual properties on the north side of Rathburn Road East will be discouraged.



Sample Elevations





Dan-Con Developments Ltd.

**File: OZ 07/005 W4
T-M07002 W4**

Recommendation PDC-0071-2008

PDC-0071-2008 "That the Report dated September 9, 2008, from the Commissioner of Planning and Building regarding the application to change the Zoning from "R3" (Detached Dwellings) to "R4 - Exception" (Detached Dwellings) and a Draft Plan of Subdivision under files OZ 07/005 W4 and T-M07002 W4 respectively, to permit five (5) detached dwellings, Dan-Con Developments Ltd., Part of Lot 10, Plan A-24, be received for information."

OZ 07/005 W4
T-M07002 W4



**SCHEDULE A
CONDITIONS OF APPROVAL**

FILE: T-M07002 W4

SUBJECT: Draft Plan of Subdivision
Part of Lot 10, Plan A-24
East of Wilcox Road, north of Rathburn Road East
City of Mississauga
Dan-Con Developments Ltd.

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 February 1, 2007, last revised on April 14, 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, 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. 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 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 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 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 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:
- 12.1 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 School Accommodation Department of the Peel District School Board to determine the exact schools.
- 13.0 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.
- 14.0 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.
- 15.0 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.