



Corporate Report

Clerk's Files

Originator's
Files OZ 06/032 W3

DATE: June 9, 2009

TO: Chair and Members of Planning and Development Committee
Meeting Date: June 29, 2009

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Official Plan Amendment and Rezoning applications**
To permit 4 semi-detached dwellings and 21 townhouse
dwellings on a common element condominium road
1810 Burnhamthorpe Road East
Part of Lot 1, Registered Plan 387
South side of Burnhamthorpe Road East,
west of Ponytrail Drive
Owner: Dunpar Developments Inc.
(formerly Radial Investments Limited)
Applicant: Dunpar Developments Inc.
Bill 20

Second Supplementary Report

Ward 3

RECOMMENDATION: That the Report dated June 9, 2009, from the Commissioner of Planning and Building recommending approval of the applications under File OZ 06/032 W3, Dunpar Developments Inc., 1810 Burnhamthorpe Road East, Part of Lot 1, Registered Plan 387, south side of Burnhamthorpe Road East, west of Ponytrail Drive, be adopted in accordance with the following:

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

further notice regarding the proposed amendment is hereby waived.

2. That the application to amend Mississauga Plan for a portion of the lands from "Residential - Low Density I" to "Residential - Medium Density I - Special Site" to permit semi-detached dwellings and townhouse dwellings on a common element condominium road, be approved.
3. That the application to change the Zoning from "R3" (Detached Dwellings-Typical Lots) to "RM6-Exception" (Townhouse Dwellings on a CEC-Private Road) and "R4-60" (Detached Dwellings-Typical Lots) to permit 4 semi-detached dwellings and 21 townhouse dwellings on a common element condominium road, and 3 detached dwelling part blocks to be combined with lands to the east, in accordance with the proposed zoning standards described in the subject report, be approved, subject to the following conditions:
 - (a) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development.
 - (b) That the school accommodation condition as outlined in City of Mississauga Council Resolution 152-98 requiring that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the School Boards not apply to the subject lands.
4. 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 18 months of the Council decision.

BACKGROUND:

A public meeting was held by the Planning and Development Committee on June 11, 2007 for the subject lands to permit 22 townhouses and 3 detached dwelling blocks, at which time a Planning and Building Department Information Report

(Appendix SS-1) was presented and received for information. At the public meeting, the Planning and Development Committee passed Recommendation PDC-0045-2007 which was subsequently adopted by Council and is attached as Appendix SS-2.

The abutting lands to the east are currently under development by Dunpar Developments Inc. These lands were originally subject to development applications for townhouse, semi-detached and detached dwellings that, on April 30, 2007, the Planning and Development Committee refused. Dunpar appealed the matter to the Ontario Municipal Board Hearing (OMB), which ruled in favour of their proposal.

Given that the built form proposed for the subject lands was similar to the adjacent Dunpar proposal, a Supplementary Report with a recommendation for refusal of the applications was tabled before the Planning and Development Committee on September 4, 2007 (Appendix SS-3). This recommendation was deferred by Council on September 12, 2007, in view of the OMB approval of the neighbouring Dunpar proposal referenced above (see Recommendation PDC-0063-2007 attached as Appendix SS-4).

The subject lands were purchased by Dunpar Developments Inc. from Radial Investments Limited in April 2008. Subsequently, Dunpar Developments Inc. submitted revised plans with different block configurations in response to staff technical comments, the most recent revisions being received on April 29, 2009. The revised application proposes 4 semi-detached dwellings and 21 townhouse dwellings on a common element condominium road, in addition to four part blocks that will be combined with lands to the immediate east to create a walkway and three detached dwelling lots fronting Silverplains Drive (Appendix SS-5). An associated draft plan of subdivision application, under file T-M06007, is no longer being pursued by the applicant and has been formally closed at their request.

COMMENTS:

COMMUNITY ISSUES

As noted in Appendix SS-1, a community meeting was conducted by Ward 3 Councillor Maja Prentice on April 25, 2007, which was

held prior to the OMB decision being received on the adjacent Dunpar lands. A response to the concerns expressed at this meeting were reported in Appendix SS-3. With the purchase of the lands and changes made by Dunpar, the President of the Fleetwood Homeowners Association was consulted on the desirability of conducting a further community meeting on the proposal. The response received was to move forward with the processing of the applications. A letter dated August 18, 2008, was distributed to the community by Councillor Prentice, which provided an update on changes made to the applications as a result of the ownership change.

UPDATED AGENCY AND CITY DEPARTMENT COMMENTS

City Transportation and Works Department

In comments updated May 25, 2009, this Department notes that the applicant has provided a satisfactory Phase II Environmental Site Assessment (ESA), a revised Noise Feasibility Study and a revised Functional Servicing Report. These studies all support the feasibility of constructing the proposed development. Furthermore, the supporting concept plan has been updated to address this Department's previously identified comments which included the depth of the proposed decks/balconies and internal road alignment.

Should these applications be approved by Council, the applicant will be required to provide securities to the satisfaction of the Transportation and Works Department to guarantee the installation of air conditioning units and special building measures in accordance with the approved Noise Report. It was also noted that these lands are subject to construction of roads and municipal services contemplated under draft plan of subdivision application T-05010, Dunpar Developments Inc. (now Registered Plan 43M-1775).

In addition, vehicular/pedestrian and utility/servicing easements will be required with the registration of the future condominium application for the adjacent lands to the east (Block 9, Plan

43M-1775) based on the servicing concepts provided with this development proposal. Accordingly, condominium registrations for both Block 9, Plan 43M-1775 and the subject lands shall include the appropriate conditions for incorporating the necessary private servicing, access and utilities easements.

City Community Services Department

In comments updated May 12, 2009, this Department notes that prior to enactment of the implementing Zoning By-law, the pedestrian connection to the Hydro corridor shall be gratuitously dedicated to the City. This connection aligns with the adjacent easterly connection, previously approved through the subdivision process. This connection will provide access to a future trail, to be located within the Hydro corridor.

Further, prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the *Planning Act* (R.S.O.1990, c.P. 13, as amended) and in accordance with the City's Policies and By-laws.

PLANNING COMMENTS

Official Plan

The proposal requires an amendment to the Mississauga Plan Policies for the Applewood District. In view of the following rationale, staff are recommending that the townhouse component of the proposal be redesignated from "Residential - Low Density I" to a "Residential - Medium Density I -Special Site" designation, that incorporates the following exceptions:

- A maximum density of 85 units per net hectare (34.3 units per acre);
- To include semi-detached dwellings as a permitted use.

The proposed part lot blocks to be combined with existing part lot blocks to the immediate east will remain designated as "Residential - Low Density I".

The subject applications have been filed in such a manner that servicing and access arrangements are coordinated with the adjacent Dunpar lands to the east (Appendix SS-5). Likewise, the development form and standards proposed are very similar to the OMB approved Dunpar project. As detailed in Appendix SS-4, the Planning and Building Department did not support the original version of this plan.

Staff continue to believe that the original concerns are valid. In view of the decision rendered by the OMB on the adjoining lands, however, there is merit in ensuring that the development form for the subject property (being the smaller of the two parcels) is consistent with that already approved. As noted above, the lands have been designed to function as one development block. A departure from the standards as approved by the OMB could result in a development form which may conflict from a functional, design and visual perspective with the original Dunpar development form. Approval of the proposal will also allow for the completion of the neighbourhood.

Zoning

In order to implement the development, the applicant is proposing to rezone the lands from "R3" (Detached Dwellings-Typical Lots) to "RM6-Exception" (Townhouse Dwellings on a CEC-Private Road) and "R4-60" (Detached Dwellings) to permit 4 semi-detached dwellings and 21 townhouse dwellings on a common element condominium road, along with four part blocks to be combined with existing Dunpar part blocks to the immediate east.

In view of the Official Plan considerations identified above, the proposed "RM6-Exception" (Townhouse Dwellings on a CEC-Private Road) and "R4-60" (Detached Dwellings-Typical Lots), zone categories are appropriate to accommodate the townhouse and detached dwelling uses. Specifics of the proposed zoning are identified in Appendix SS-6.

Development Matters

Construction access for the development will be provided from Burnhamthorpe Road East. If construction of the detached dwellings on Pagehurst Avenue lags behind the remainder of the development, one semi-detached block will remain unconstructed.

Turning movements into the rear garage access for dwellings backing onto the Hydro Corridor may be tight for some vehicles. It has been demonstrated by the applicant through the use of templates that turning movements are possible and the aisle and parking spaces meet zoning requirements. As an added measure, appropriate warning clauses will be placed within the associated Development Agreement that advises prospective purchasers of the situation.

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

CONCLUSION: In accordance with subsection 34(17) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, Council is given authority to determine if further public notice is required. The request by the applicant is to modify the site layout from that originally submitted, which affects the zoning provisions that apply. It is recommended that no further public meeting need be held regarding the proposed changes.

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

1. The proposal for detached, semi-detached and townhouse dwellings is consistent with the development form approved by the Ontario Municipal Board for the adjoining Dunpar lands.

2. The proposed "Residential - Medium I Density - Special Site" designation and "RM6-Exception" (Townhouse Dwellings on a CEC-Private Road) and "R4-60" (Detached Dwellings-Typical Lots) zoning categories are appropriate to accommodate the requested uses.

ATTACHMENTS:

Appendix SS-1 - Information Report
Appendix SS-2 - Recommendation PDC-0045-2007
Appendix SS-3 - Supplementary Report dated August 14, 2007
Appendix SS-4 - Recommendation PDC-0063-2007
Appendix SS-5 - Revised Concept Plan
Appendix SS-6 - Recommended Zoning Standards
Appendix SS-7 - Excerpt from Existing Land Use Plan

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Rob Hughes, Development Planner



Corporate Report

Clerk's Files

Appendix SS-1

Originator's

Files OZ 06/032 W3

T-M06007 W3

PDC JUN 11 2007

DATE: May 24, 2007

TO: Chair and Members of Planning and Development Committee
Meeting Date: June 11, 2007

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Official Plan Amendment, Rezoning and Draft Plan of
Subdivision Applications
To permit 3 detached dwellings, and 22 townhouse dwellings
under standard condominium tenure
1810 Burnhamthorpe Road East
Part of Lot 1, Registered Plan 387
South side of Burnhamthorpe Road East, west of
Ponytrail Drive
Owner: Radial Investments Limited
Applicant: M. Yarranton, KLM Planning Partners Inc.
Bill 20

Public Meeting **Ward 3**

RECOMMENDATION: That the Report dated May 22, 2007, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan for a portion of the lands from "Residential - Low Density I" to "Residential - Medium Density I-Special Site" and to change the Zoning from "R3" (Detached Residential) to "R4(12)-Special Section" (Detached Residential) and "RM5-Special Section" (Multiple Residential), in addition to a Draft Plan of Subdivision, to permit 22 townhouses, and 3 detached dwellings in combination with lands to the immediate east, under file OZ 06/032 W3 and T-M06007 W3, Radial Investments Limited,

1810 Burnhamthorpe Road East, Part of Lot 1, Registered Plan 387, be received for information.

BACKGROUND:

Official Plan Amendment, Rezoning and Draft Plan of Subdivision applications have been circulated for technical comments and preliminary comments have been received from the community. The purpose of this report is to provide preliminary information on the above-noted applications and to seek comments from the community.

COMMENTS:

The landowner is proposing 22 townhouse dwellings under a standard condominium tenure, and 3 detached dwellings in combination with lands to the immediate west under the ownership of Dunpar Development Inc. Access and servicing for the lands is proposed to be coordinated through the Dunpar development (see Appendix I-6). Details of the proposal are as follows:

Development Proposal	
Applications submitted:	December 22, 2006
Number of Units:	Townhouse Dwellings: 22 Detached Dwellings: 3 part lots, to be combined with Dunpar Development Inc. lands to the east
Height:	13.6 m (44.6 ft.), being approximately 3-4 storeys
Lot Coverage:	40.3% (excludes rear yard decks)
Floor Space Index:	1.48 (for the entire development)
Gross Density:	Townhouses: 73.3 uph (29.6 upa) Detached Dwellings: 17.4 uph (7.0 upa) Combined: 60.9 uph (24.6 upa)
Landscaped Area:	34% (townhouse development)

Development Proposal	
Anticipated Population:	Townhouses: 65 people * Detached Dwellings: 5 people * *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:	50 spaces
Parking Provided:	50 spaces
Supporting Documents:	- Planning Justification Report - Phase I Environmental Site Assessment

Site Characteristics	
Frontage:	23.4 m (76.7 ft.)
Depth:	165.1 m (542 ft.)
Net Lot Area:	0.38 ha (0.94 ac.)
Existing Use:	All lands are presently vacant

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

Neighbourhood Context

The subject property is located on the south side of Burnhamthorpe Road East, west of Ponytrail Drive, adjacent to lands to the east assembled by Dunpar Developments Inc. and subject to applications for townhouses and detached dwellings (see Page 7 of this report for details). The lands are located on the edge of a stable low density neighbourhood developed in the mid to late 1960's. Generally, the built form is detached dwellings with a net density of approximately 14.2 units per hectare (5.7 units per acre). Silverplains Road terminates to the southeast of the subject lands. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

- North: Across Burnhamthorpe Road East, detached dwellings.
- East: Dunpar Developments Inc. lands, with detached dwellings having minimum lot frontages of 15 m (49.2 ft.) fronting Pagehurst Avenue, and Saints Martha and Mary Catholic Church, beyond.
- South: Detached dwellings having minimum lot frontages of 15 m (49.2 ft.) fronting Silverplains Drive.
- West: Hydro One power transmission corridor with detached dwellings beyond facing Pickmere Crescent beyond.

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

"Residential - Low Density I" which permits detached, semi-detached and duplex dwellings to a maximum density of 17 units per hectare (6.8 units per acre). The applications are not in conformity with the land use designation as the current designation does not permit townhouse dwellings. There are other policies in the Official Plan which are also applicable in the review of these applications including:

Residential Policies:

Section 3.2.3.2 of Mississauga Plan indicates that 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. Section 3.2.3.8 of Mississauga Plan indicates that residential intensification, in the form of more compact development and higher densities in appropriate development areas, is encouraged subject to certain criteria. This criteria speaks to meeting the following: adequate engineering and community services; compatibility with surrounding land uses; and, development proposals addressing the scale and character of the existing residential area.

Urban Design Policies:

Section 3.2.3.2 of Mississauga Plan indicates that design issues related to built form, scale, massing, orientation, parking,

overshadowing, and the quality and quantity of open space will be priorities in assessing the merits of residential development.

Section 3.15 of Mississauga Plan provides for policies which speak to appropriate built form and scale, streetscape and context, and compatibility with the surrounding built form.

Criteria for Site Specific Official Plan Amendments:

Section 5.3.2 of Mississauga Plan contains criteria which requires an applicant to submit satisfactory planning reports to demonstrate the rationale for the proposed amendment as follows:

- the proposal would not adversely impact or destabilize the following: the overall intent, goals and objectives of the Official Plan; and the development and functioning of the remaining lands which have the same designation, or neighbouring lands;
- the proposed land use is suitable for the proposed uses, and compatible with existing and future uses of surrounding lands;
- there is adequate infrastructure and community services to support the proposed development.

Proposed Official Plan Designation and Policies

"Residential - Medium Density I - Special Site" for the northern portion of the lands, to permit a maximum of 22 townhouse dwellings (being at a density of 73.3 units per hectare or 29.6 units per acre). The maximum permitted density under the "Residential - Medium Density I" designation is 50 units per hectare (20 units per acre). No change is proposed for the southern portion of the lands, proposed to accommodate the detached dwellings.

Existing Zoning

"R3" (Detached Residential) which permits detached dwellings having a minimum lot frontage of 15 m (49.2 ft.).

Proposed Zoning By-law Amendment

"R4(12)" (Detached Residential) to permit detached dwellings and **"RM5-Special Section" (Multiple Residential)** to permit

townhouse dwellings, under a standard condominium tenure. Details on exceptions requested to the base zoning by the applicant are contained in Appendix I-8.

Draft Mississauga Zoning By-law

A report on the new draft Zoning By-law was received at the Planning and Development Committee on April 30, 2007. A further addendum report was adopted by Council on May 23, 2007, with the exception of the Harris Farm. The implementing by-law is anticipated to be passed by Council on June 20, 2007.

The draft Zoning for this property is "R3" (Detached Dwellings - Typical Lots) which permits detached dwellings having a minimum lot frontage of 15 m (49.2 ft.). The timing of the site specific Zoning By-law to permit the proposed development may be affected by the passage of the new Mississauga Zoning By-law and potential appeals. A recommendation will be included in the supplementary report to address the new Mississauga Zoning By-law.

Proposed Draft Plan of Subdivision

The Draft Plan of Subdivision as filed on November 28, 2005, divides the lands into one large block for the townhouses and three part lots, to be combined with the Dunpar Developments Inc. lands to the east for detached dwellings.

COMMUNITY ISSUES

A community open house was held by Ward 3, Councillor Prentice on April 25, 2007. The following is a summary of issues raised by the Community:

Comments

- Concern was expressed that the development proposal is not in keeping with the scale and character of the current built form of the neighbourhood, and would result in a loss

of privacy for abutting homes and an overall devaluation of surrounding home prices;

- The proposed development will have an impact on traffic in the community, resulting in an increase in noise and pollution, and aggravation of a current on-street parking problem in the surrounding neighbourhood;
- Concern regarding how development on the lands will be coordinated with the neighbouring Dunpar Developments Inc. proposal;
- Concern for the lack of greenspace/landscaped area in the proposal.

Response

Comments regarding compatibility and design of the proposed development will be considered by the Planning and Building Department in a future Supplementary Report.

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-7 and school accommodation information is contained in Appendix I-8. Based on the comments received and the applicable Mississauga Plan policies the following matters will have to be addressed:

- Conformity with standard condominium guidelines;
- Compatibility with stable neighbourhoods to the south;
- Completion of the local road network;
- Pedestrian connections through the lands to school and park uses to the west;
- Development coordination with the Dunpar lands;
- Submission of acceptable noise, functional servicing and environmental reports;
- Provision of on-site servicing including utilities and waste management.

OTHER INFORMATION

Dunpar Developments Inc. Applications

Lands to the east of the subject lands are under application by Dunpar Developments Inc. to permit the construction of 105 townhouses, 8 detached lots, and 3 part lots to be combined with the subject lands. The two owners have worked to coordinate matters respecting development form, access and servicing. A Supplementary Report regarding the Dunpar applications was considered by the Planning and Development Committee on April 30, 2007, which recommended that they be refused on the basis that the proposal is incompatible with the surrounding community and the zoning standards requested are inappropriate. A full Ontario Municipal Board hearing is scheduled for August 20, 2007.

Interim Residential Policies

On September 27, 2006, City Council endorsed OPA No. 58. This amendment added interim residential policies to Mississauga Plan. These policies protect stable neighbourhoods from inappropriate intensification and direct intensification to the Urban Growth Centre which runs south from Matheson Boulevard East to the Queen Elizabeth Way (QEW) along both sides of Hurontario Street and includes all of City Centre. Council has indicated its commitment to ensure that intensification and redevelopment is promoted in the appropriate areas.

Development Requirements

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.

FINANCIAL IMPACT:

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

CONCLUSION: Most agency and City department comments have been received and after the public meeting has been held, the Planning and Building Department will be in a position to make a recommendation regarding these applications.

ATTACHMENTS: Appendix I-1 - Site History
Appendix I-2 - Aerial Photograph
Appendix I-3 - Excerpt of Applewood District Land Use Map
Appendix I-4 - Excerpt of Existing Land Use Map
Appendix I-5 - Draft Plan of Subdivision
Appendix I-6 - Concept Plan
Appendix I-7 - Agency Comments
Appendix I-8 - School Accommodation
Appendix I-9 - Detail Zoning Provisions
Appendix I-10 - General Context Map

Edward R. Sajecki
Commissioner of Planning and Building

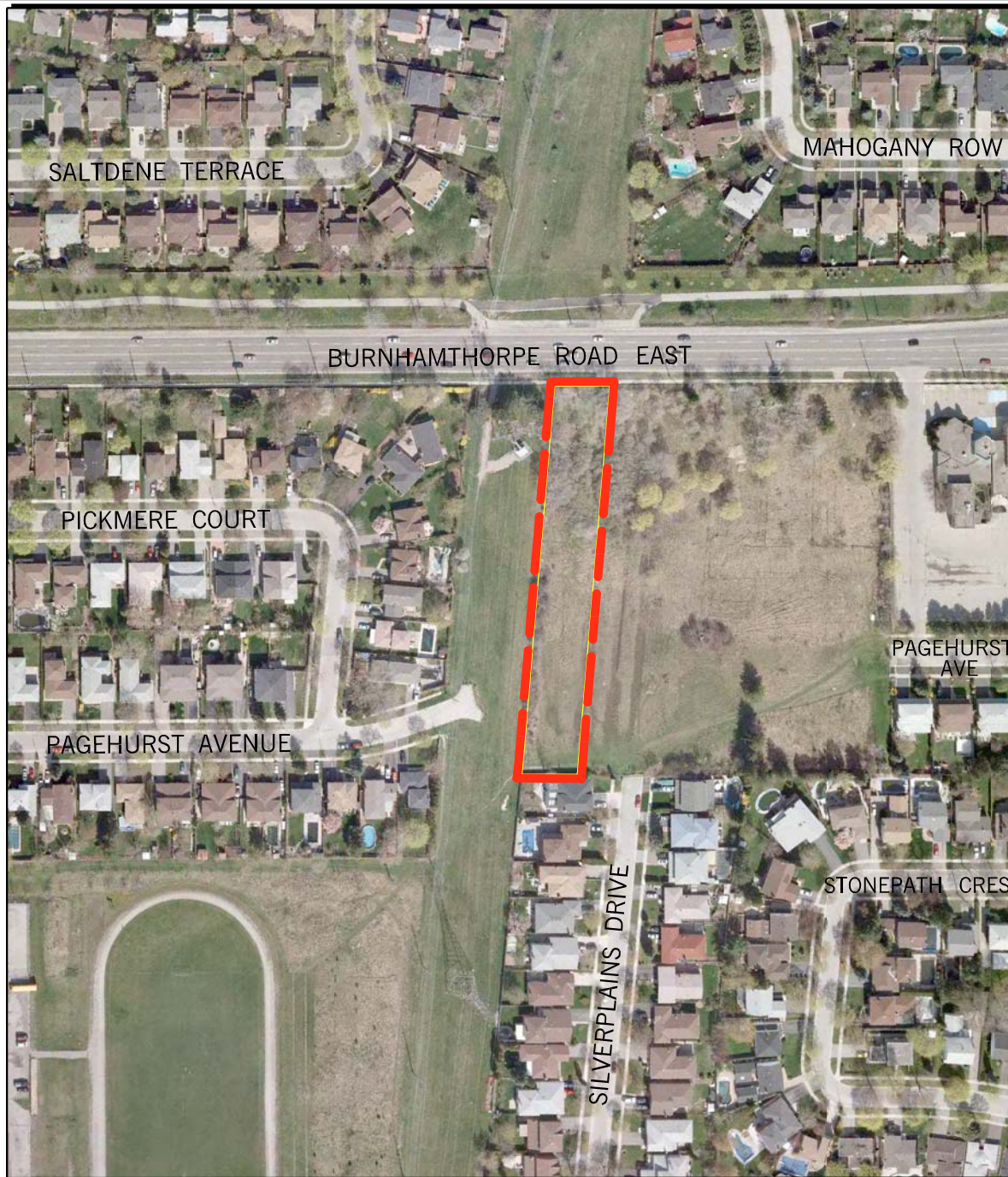
Prepared By: Rob Hughes, Development Planner

Radial Investments Limited

Files: OZ 06/032 W3 and T-M06007 W3

Site History

- June 11, 1987 - The Region of Peel draft approved Plan of Subdivision 21T-M86014 which included the subject lands in addition to four neighbouring parcels to the immediate east. This draft plan proposed a total of 27 detached dwellings and included the extension of both Pagehurst Avenue and Silverplains Drive to complete the local road network. The application was closed due to inactivity on October 1, 2004.
- May 5, 2003 - The Region of Peel approved the Mississauga Plan Policies for the Applewood District which designated the subject lands as “Residential - Low Density I” which permits detached dwellings.



LEGEND:



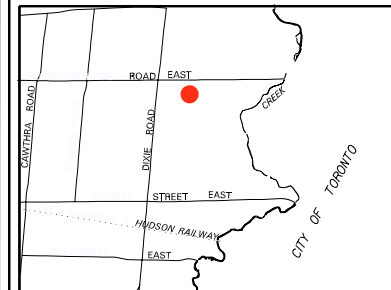
SUBJECT LANDS

DATE OF AERIAL PHOTO: 2006



SUBJECT:

RADIAL INVESTMENTS LIMITED



FILE NO:
OZ 06032 W3
T-M06007 W3

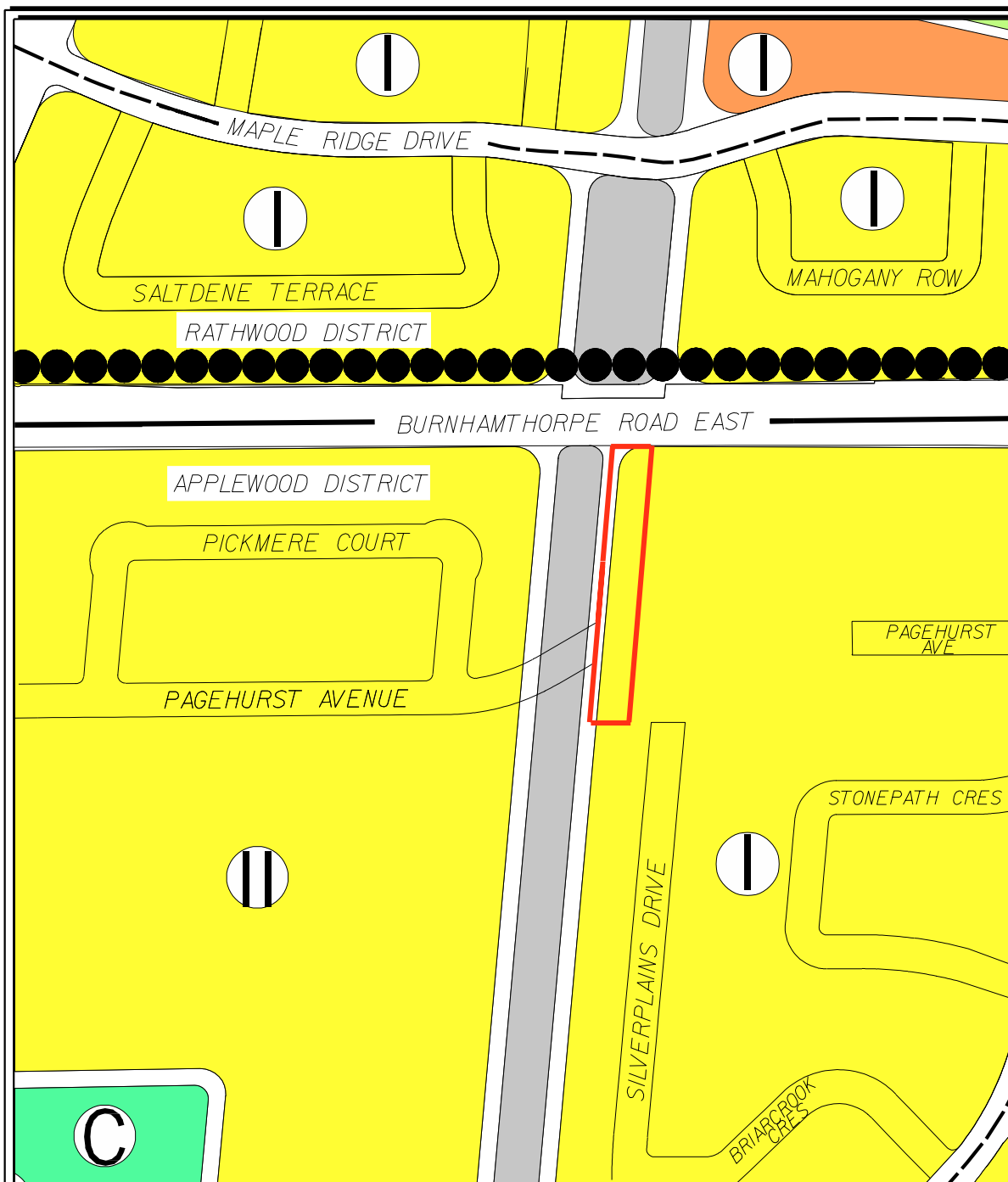
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
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APPENDIX 1-2








PART OF APPLEWOOD DISTRICT LAND USE MAP **APPLEWOOD DISTRICT POLICIES OF MISSISSAUGA PLAN**






LAND USE DESIGNATIONS

-  Residential – Low Density I
-  Residential – Low Density II
-  Residential – Medium Density I
-  Residential – Medium Density II
-  Residential – High Density I
-  Residential – High Density II
-  General Commercial
-  Convenience Commercial
-  Motor Vehicle Commercial
-  Office
-  Open Space
-  Private Open Space
-  Greenbelt
-  Utility

TRANSPORTATION LEGEND

-  Arterial
-  Major Collector
-  Minor Collector
-  Local Road
-  Major Transit Corridor

LAND USE LEGEND

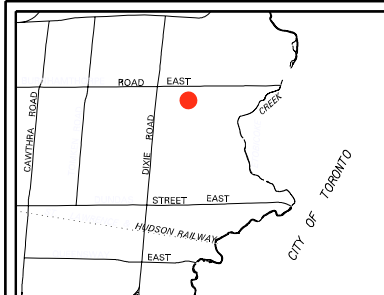
-  – Node Boundary
-  – Community Park
-  – Cemetery
-  – 1996 NEP/2000 NEF Composite Noise Contours
-  Planning District

 **SUBJECT LANDS**



SUBJECT:

RADIAL INVESTMENT LIMITED



FILE NO:
OZ 06032 W3
T-M06007 W3

DWG. NO:
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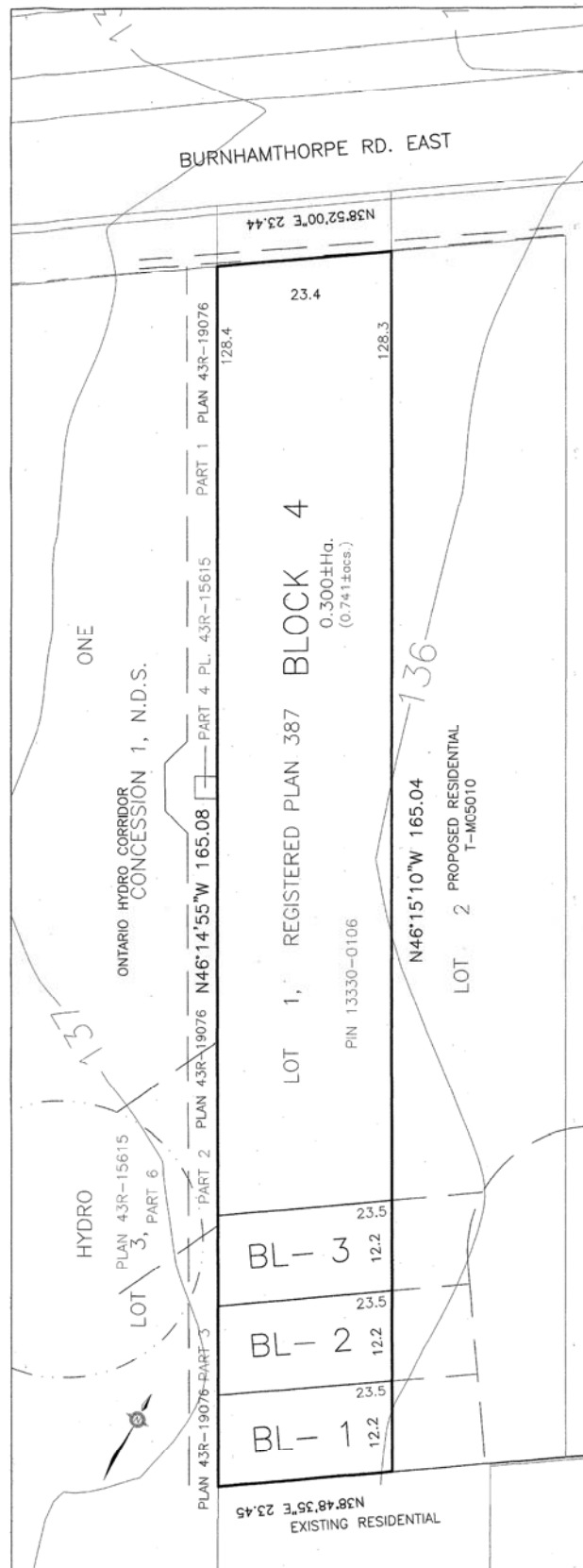
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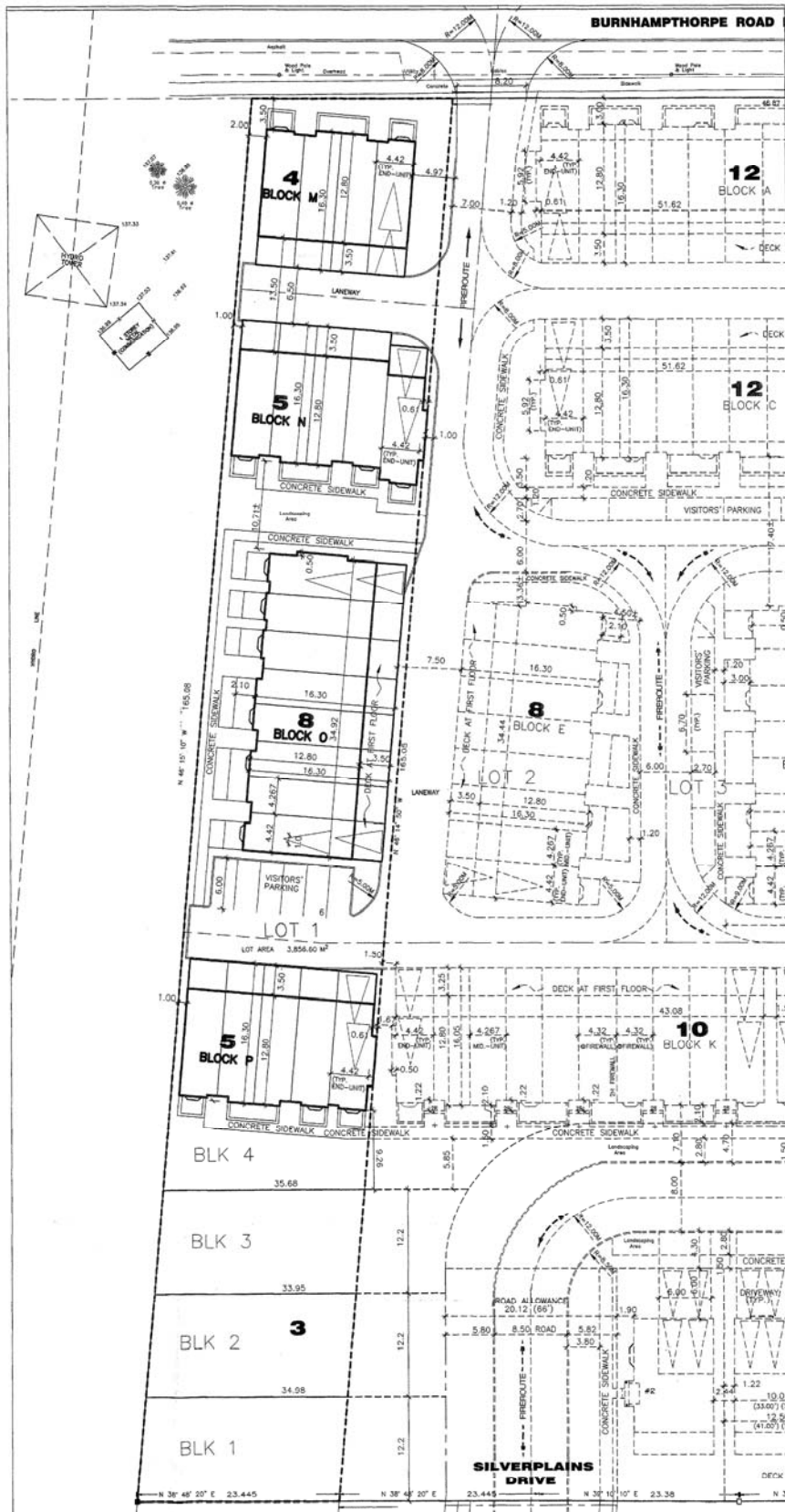
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APPENDIX 1-3

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics





Radial Investments Limited**Files: OZ 06/032 W3 and T-M06007 W3****Agency Comments**

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

Agency / Comment Date	Comment
Hydro One Networks Inc. (March 22, 2007)	This agency has no objection to the applications in principle, subject to the incorporation of conditions of draft plan approval, as identified in the comments.
Region of Peel (April 26, 2007)	Regional staff have no objection to the approval of the development. Municipal sanitary sewer facilities consist of a 250 mm (1.0 in) diameter sanitary sewer located on Pagehurst Avenue and Silverplains Drive. Municipal water facilities consist of a 200 mm (0.75 in) diameter watermain located on Pagehurst Avenue and Silverplains Drive, and a 150 mm (0.6 in) diameter watermain on Burnhamthorpe Road East. Site servicing will also require looping of 200 mm (0.75 in) and 150 mm (0.6 in) diameter watermains between Pagehurst Avenue, Silverplains Drive and Burnhamthorpe Road East. The subject lands are not located within the vicinity of a landfill. The applicant will be required to accommodate the Region's waste collection design standards, as identified in the comments. A complete list of Regional conditions of draft plan approval are listed within their comments.
Dufferin-Peel Catholic District School Board and the Peel District School Board (April 26, 2007 and April 5, 2007)	<p>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.</p> <p>In addition, if approved, the Peel District School Board and the Dufferin-Peel Catholic District School Board also require the clearance of certain conditions of draft plan approval respecting bussing and accommodation of students.</p>

Radial Investments Limited

Files: OZ 06/032 W3 and T-M06007 W3

Agency / Comment Date	Comment
<p>City Community Services Department – Planning, Development and Business Services Division (April 9, 2007)</p>	<p>This Department indicated that the park serving the proposed residential development is Forest Glen Park located at Fieldgate Drive, north of Ponytrail Drive, and is approximately 305 m (1,000 ft.) measured in a direct line from the subject lands. The park contains one unlit softball diamond, one children's play structure, one spray pad, and park pathways. The City's park requirements have been met for this area.</p> <p>In view of the foregoing, if approved and prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to the <i>Planning Act</i> and in accordance with City Policies and By-laws. Payment for street tree planting on Burnhamthorpe Road East will also be required.</p> <p>Furthermore, in order to improve community accessibility and linkages for pedestrians and cyclists, a public pedestrian easement will be required to connect with a future easement to be located upon the abutting lands to the east, extending to Silverplains Drive; such an easement would provide a continuous connection between Silverplains Drive and the Hydro One utility corridor, abutting to the west. It should be noted that a future multi-use recreational trail has been identified as a long term potential secondary land use, as outlined in the report titled, <i>City of Mississauga Submission to the Provincial Secondary Land Use Program for Hydro Corridors (May 2005)</i>; if a future trail is approved, the terms and conditions would be outlined in a license agreement to be executed between the City and Hydro One.</p>
<p>City Community Services Department – Fire and Emergency Services Division (April 26, 2007)</p>	<p>This proposal is located within the response area of Fire Station 106 . At present average travel times to emergencies in this area of the City is 3.0 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.</p>

Radial Investments Limited**Files: OZ 06/032 W3 and T-M06007 W3**

Agency / Comment Date	Comment
City Transportation and Works Department (May 4, 2007)	<p>Prior to the preparation of a Supplementary Report, the applicant will be required to submit a supporting Noise Feasibility Study, a Functional Servicing Report and a Phase II Environmental Site Assessment (ESA). Additional comments will be provided pending the receipt and review of these updated reports.</p> <p>In addition, the draft plan of subdivision is to be revised to illustrate a 0.3 m (1.0 ft.) reserve along the site's Burnhamthorpe Road East frontage. Furthermore, the supporting conceptual site plan is to be revised such that all internal roads and services meet the City's minimum condominium standards.</p> <p>It was also indicated that the feasibility of this development proposal is dependent upon the satisfactory arrangements being established with the adjacent owner to the immediate east (T-M05010 W3, Dunpar Developments Inc.) for both access and servicing. Accordingly, the applicant is to provide written confirmation from Dunpar Developments Inc. that satisfactory arrangements have been made for access, servicing and the provision of the necessary easements.</p>
Other City Departments and External Agencies	<p>The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner:</p> <ul style="list-style-type: none"> - Bell Canada - Canada Post - City Development Services - City Economic Development - Enersource Hydro Mississauga - Greater Toronto Airports Authority

Radial Investments Limited**Files: OZ 06/032 W3 and T-M06007 W3**

Agency / Comment Date	Comment
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <ul style="list-style-type: none">- City Realty Services- Conseil Scolaire de District Catholique Centre-Sud- Conseil Scolaire de District Centre-Sud-Ouest- Enbridge Gas Distribution Inc.- Rogers Cable

Radial Investments Limited

Files: OZ 06/032 W3 and T-M06007 W3

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"> 4 Kindergarten to Grade 5 2 Grade 6 to Grade 8 3 Grade 9 to Grade 12 School Accommodation: <ul style="list-style-type: none"> Forest Glen Public School <ul style="list-style-type: none"> Enrolment: 543 Capacity: 491 Portables: 3 Glenhaven Senior Public School <ul style="list-style-type: none"> Enrolment: 511 Capacity: 545 Portables: 1 Glenforest Secondary School <ul style="list-style-type: none"> Enrolment: 1,314 Capacity: 1,023 Portables: 3 <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"> 6 Junior Kindergarten to Grade 8 2 Grade 9 to Grade 12/OAC School Accommodation: <ul style="list-style-type: none"> St. Alfred Elementary School <ul style="list-style-type: none"> Enrolment: 485 Capacity: 436 Portables: 6 Philip Pocock Secondary School <ul style="list-style-type: none"> Enrolment: 1,384 Capacity: 1,257 Portables: 5

Feb. 19, 2007

**THE CORPORATION OF THE CITY OF MISSISSAUGA
BY-LAW NUMBER XXXX-2007**

A by-law to amend By-law Number 5500, as amended.

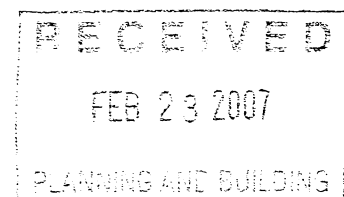
WHEREAS pursuant to Section 24 of the Planning Act, R.S.O., 1990, c.P.13, as amended, the council of a local municipality may pass a zoning by-law;

NOW THEREFORE the Council of The Corporation of the City of Mississauga
ENACTS as follows:

1. Map Number 19 of Schedule "B" to By-law Number 5500, as amended, is amended by changing thereon from "R3" to "RM5-xxxx" and "R4(12)-xxxx", the zoning of Part of Lot 1, Registered Plan 387, in the City of Mississauga, PROVIDED HOWEVER THAT the "RM5-xxxx" and "R4(12)-yyyy" zoning shall only apply to the lands which are shown on the attached Schedule "A".
2. By-law Number 5500, as amended, being a City of Mississauga Zoning By-law (former Town of Mississauga), is amended by adding the following section:

xxxx. Notwithstanding their "RM5" zoning, the lands delineated as "RM5-xxxx" on Schedule "B" of this By-law shall be used for row dwellings only, in compliance with the following:

- (1) the provisions of sections 21, 44(13)(ia), 44(12), 44(17)(b), 44(17)(k), 49(2), 49(3)(h) and 49(3)(k) of this By-law shall not apply;
- (2) no lot shall require frontage on a public street;
- (3) notwithstanding Schedule "T" of this section, a covered or uncovered platform or deck above the garage or in the rear yard, including stairs, may project a maximum of 4.0m beyond the buildable area;
- (4) notwithstanding Schedule "T" of this section, awnings, canopies, chimneys breasts, eaves, window projections and architectural features, with or without a foundation, such as, but not limited to, fireplaces, pilasters and corbels, may project a maximum of 0.8 metres beyond the buildable area and planter boxes with foundations may project 2.1 metres beyond the buildable area;
- (5) central air conditioning units shall be permitted on the rear decks of each unit;
- (6) the minimum width of a row dwelling unit shall be 4.2 metres;
- (7) the maximum height of a building or structure shall be 13.6 metres measured to the midpoint of the roof;



- (8) motor vehicle parking facilities shall be provided and maintained on the same lot in accordance with the following schedule:

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

- (9) an attached private garage shall be provided for each unit;
- (10) resident parking may be located in tandem to fulfill the number of parking spaces required by subsection (9) of this section;
- (11)
- (a) all buildings shall be located within the “Buildable Area” shown on Schedule “I” of this section;
 - (b) notwithstanding clause (13)(a) of this section, those matters which would otherwise be matters of site plan approval, such as the location and type of parking spaces, internal driveways, vehicle access points, fencing, hydro meter walls, and landscaping features, and the extent of landscaped areas, shall be determined through the site development plan approval process.

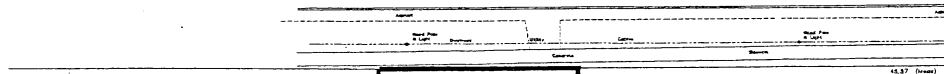
3. By-law Number 5500, as amended, being a City of Mississauga Zoning By-law (former Town of Mississauga), is amended by adding the following section:

yyyy. Notwithstanding their “R4(12)” zoning to the contrary, the lands delineated as “R4(12)-yyyy” on Schedule “B” of this By-law shall be used for one-family detached dwellings only, in compliance with the following:

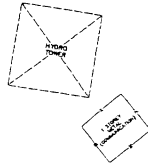
- (1) The maximum building height shall be 11 metres measured to the midpoint of the roof.

ENACTED and PASSED this _____ day of _____, 2007.

BURNHAMPTORPE ROAD EAST



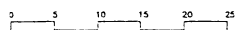
14.57 (Area)



**R3
TO
RM5-XXXX**

**R3
TO
R4(12)-YYYY**

**SILVERPLAINS
DRIVE**

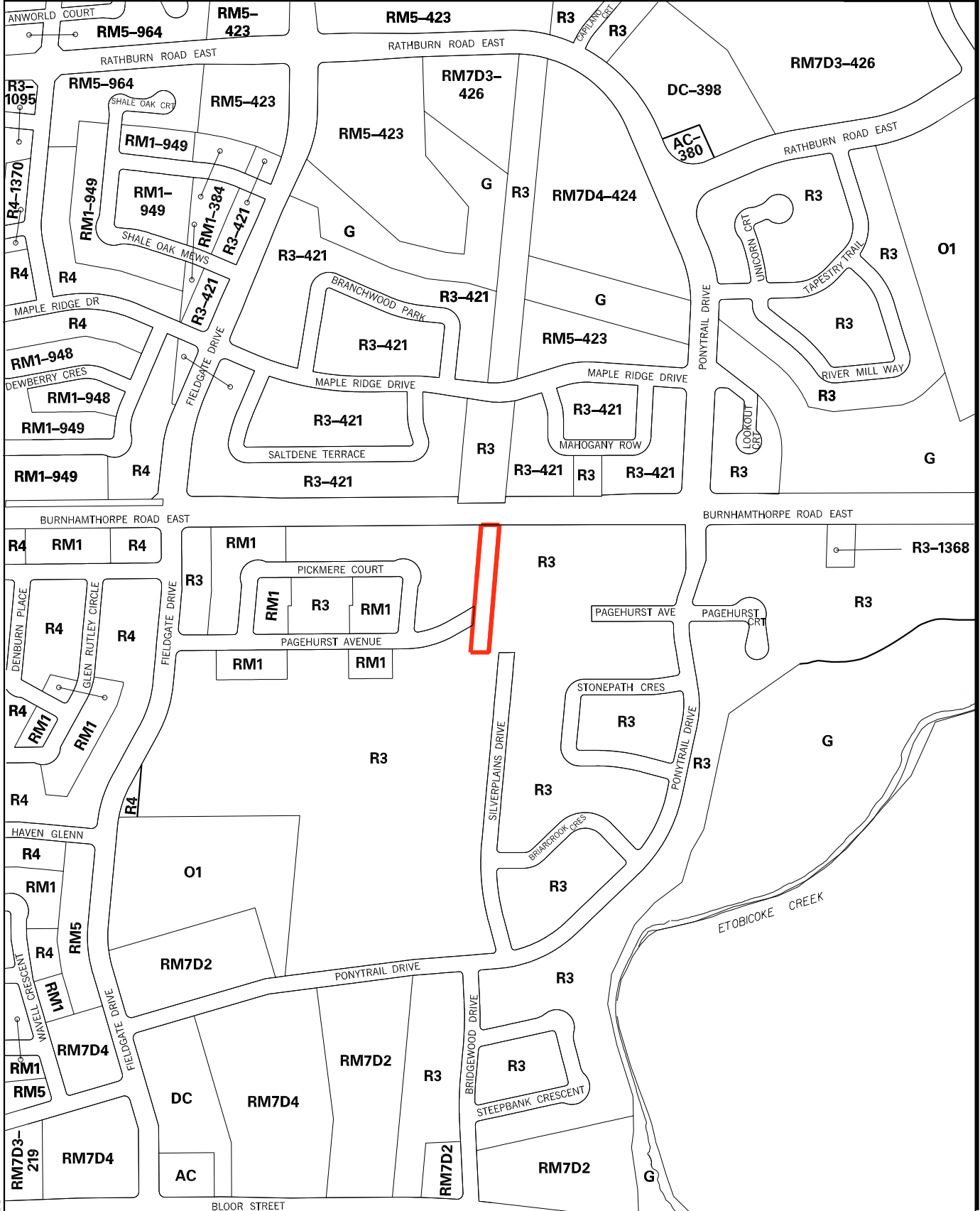


THIS IS SCHEDULE "A"
TO BY-LAW No. _____
PASSED BY COUNCIL ON

GENERAL CONTEXT MAP

OZ 06032 W3
T-M07006

APPENDIX I-10



Dunpar Developments Inc.

File: OZ 06/032 W3

Recommendation PDC-0045-2007

PDC-0045-2007

"1. That the Report dated May 22, 2007, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan for a portion of the lands from 'Residential - Low Density I' to 'Residential- Medium Density I-Special Site' and to change the Zoning from 'R3' (Detached Residential) to 'R4(12)-Special Section' (Detached Residential) and 'RM5-Special Section' (Multiple Residential), in addition to a Draft Plan of Subdivision, to permit 22 townhouses, and 3 detached dwellings in combination with lands to the immediate east, under file OZ 06/032 W3 and T-M06007 W3, Radial Investments Limited, 1810 Burnhamthorpe Road East, Part of Lot 1, Registered Plan 387, be received for information.

2. That the petition presented at the June 11, 2007 Planning and Development Committee meeting, not supporting the Dunpar Development and Radial Investments proposal and endorsing a conceptual plan prepared by the Fleetwood Village Homeowners Association, be received."



Corporate Report

Clerk's Files

Appendix SS-3

Originator's

Files OZ 06/032 W3
T-M06007 W3

PDC SEP 04 2007

DATE: August 14, 2007

TO: Chair and Members of Planning and Development Committee
Meeting Date: September 4, 2007

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Official Plan Amendment, Rezoning and Draft Plan of
Subdivision Applications
To permit 3 detached dwellings, and 22 townhouse dwellings
under standard condominium tenure
1810 Burnhamthorpe Road East
Part of Lot 1, Registered Plan 387
South side of Burnhamthorpe Road East, west of
Ponytrail Drive
Owner: Radial Investments Limited
Applicant: M. Yarranton, KLM Planning Partners Inc.
Bill 20**

Supplementary Report **Ward 3**

RECOMMENDATION: That the Report dated August 14, 2007, from the Commissioner of Planning and Building recommending refusal of the Official Plan Amendment, Rezoning and Draft Plan of Subdivision applications under Files OZ 06/032 W3 and T-M06007 W3, Radial Investments Limited, 1810 Burnhamthorpe Road East, south side of Burnhamthorpe Road East, west of Ponytrail Drive, be adopted in accordance with the following:

1. That the application to amend Mississauga Plan for a portion of the lands from "Residential - Low Density I" to

“Residential - Medium Density I - Special Site” to permit townhouse dwellings be refused;

2. That the application to change the Zoning from “R3” (Detached Residential) to “R4(12)-Special Section” (Detached Residential) and “RM5-Special Section” (Multiple Residential) to permit detached dwellings and townhouse dwellings be refused;
3. That the Draft Plan of Subdivision under file T-M06007 W3 be refused;
4. That City Council endorse the road configuration and development form as identified in Appendix S-3, Alternative Conceptual Design, attached to the staff report.

BACKGROUND:

A public meeting was held by the Planning and Development Committee on June 11, 2007, at which time a Planning and Building Department Information Report (Appendix S-1) was presented and received for information. At the public meeting, the Planning and Development Committee passed Recommendation PDC-0045-2007 which was subsequently adopted by Council and is attached as Appendix S-2.

On April 30, 2007, the Planning and Development Committee refused Official Plan Amendment Rezoning and Draft Plan of Subdivision applications for the lands immediately to the east, known as the “Dunpar Lands”. Those applications will be the subject of an Ontario Municipal Board Hearing (OMB) scheduled for eight days beginning on August 20, 2007.

The Radial applications have not been referred to the OMB to date.

COMMENTS:

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

COMMUNITY ISSUES

As noted in Appendix S-1, a community open house was held by Ward 3, Councillor Prentice on April 25, 2007. This open house was conducted in conjunction with updates being provided on the

development applications filed for lands located to the immediate east by Dunpar Developments Inc., under files OZ 05/042 W3 and T-M05010 W3, which were refused by the Planning and Development Committee on April 30, 2007 (see below for additional information).

At the open house, a number of constructive suggestions were made by the residents to address concerns expressed by the community regarding the development form proposed for both the Dunpar and Radial lands. The following is a response to the major concerns identified (see Appendix S-1, page 6 for additional information):

Comment

Concern was expressed that the proposal is not compatible with the scale and character of the existing neighbourhood, both from a built form and density perspective, and that the lands should be developed in accordance with the current land use provisions in effect.

Also concern was expressed regarding the lack of green space/landscaped area associated with the proposal.

Response

See “Planning Comments” section of the report for a complete analysis of the subject applications in this respect.

Comment

The development will have an impact from a traffic perspective on the community.

Response

See “Updated City Department Comments, Transportation and Works” section of the report for an evaluation of the applications from a traffic perspective.

Comment

Will the development of the subject lands be coordinated with those to the immediate east, under the ownership of Dunpar Developments Inc.?

Response

As noted above, the Dunpar lands are subject to development applications. Additional comments regarding coordination of the two proposals are provided under the “Planning Comments” section of the report.

Comment

Pedestrian connections are necessary to access parks, schools and other community facilities located to the east.

Response

As a requirement of any approval, the Community Services Department is requesting provision for a future public pedestrian connection to the east (see “Updated City Department Comments” within the report for detailed information).

Comment

How will garbage and recycling be dealt with for the townhouse component of the development?

Response

Details regarding garbage and recycling collection would be dealt with at the site plan stage, in accordance with the requirements of the Region of Peel (see Appendix S-1, I-7). The Region requires that roads be designed to accommodate truck maneuverability. Locations for waste storage and collection must be identified on a Site Plan for all townhouse dwellings.

UPDATED AGENCY AND CITY DEPARTMENT COMMENTS

City Community Services Department - Planning, Development and Business Services Division

In comments dated July 23, 2007, this Department advised that a future multi-use recreational trail has been identified as a long term potential secondary land use in the Hydro One utility corridor located to the west, as outlined in the report titled, *City of Mississauga Submission to the Provincial Secondary Land Use Program for Hydro Corridors (May 2005)*. If the subject applications are approved, a public pedestrian access easement will be required to ultimately connect Silverplains Drive to a future recreational trail within the hydro corridor. This requirement is being reviewed in conjunction with the proposed development for the abutting lands to the east, submitted under files OZ 05/042 W3 and T-M05010 W3. If the details of a future recreational trail are successfully negotiated, the terms would be outlined in a license agreement to be executed between the City and Hydro One.

City Transportation and Works Department

Comments updated July 23, 2007, state that as of the writing of this report, a Noise Feasibility Study, a Functional Servicing Report, and a Phase II Environmental Site Assessment (ESA) have not been submitted as previously requested by this Department prior to the preparation of the Supplementary Report.

Furthermore, the draft plan of subdivision and supporting concept plan have not been updated and re-submitted to address this Department's previously identified comments which included concerns regarding internal road and services not meeting the City's minimum condominium standards.

As previously identified, the feasibility of this development proposal is dependent upon the satisfactory arrangements being established with the adjacent owner to the immediate east (T-05010 W3, Dunpar Developments Inc.) for both access and servicing. The applicant has not provided any confirmation that satisfactory arrangements have been made for access, servicing

and the provision of the necessary easements in support of the proposed development.

PLANNING COMMENTS

Dunpar Developments Inc. Application Status

As noted above, the Planning and Development Committee refused the applications filed for the Dunpar lands to the immediate east, to permit 8 detached dwellings and 105 townhouse dwellings. The matter had previously been appealed, by the applicant, to the Ontario Municipal Board (OMB). In a letter dated June 26, 2007, Dunpar amended their applications before the OMB by replacing the townhouses on the north side of Pagehurst Avenue with 22 semi-detached dwellings. The number of townhouses on the lands was reduced to 76.

The subject Radial applications plans have been filed in such a manner that the servicing and access arrangements can be coordinated. The townhouse development form and proposed standards, in addition, are very similar to the Dunpar applications. Accordingly, the comments and recommendations provided below on the Radial applications are in keeping with those recommended for the Dunpar matter. At the time of printing, Radial Investments had not modified their applications to reflect semi-detached dwellings on the north side of Pagehurst Avenue.

Official Plan

Within the Mississauga Plan Policies for the Applewood District, the subject lands are designated "Residential - Low Density I" which permits detached, semi-detached and duplex dwellings to a maximum density of 17 units per hectare (6.8 units per acre). The applicant is proposing an Official Plan Amendment (OPA) to intensify residential development on the lands (see Appendix S-1). The townhouse component of the proposal is not in conformity with the Mississauga Plan Policies for the Applewood District.

The Planning and Building Department has evaluated the applications by having regard for the planning rationale provided by the applicant, comments received from City Departments and

other agencies, and the relevant policies of Mississauga Plan. The applications as filed should be refused on the basis that the proposal does not meet the intent and objectives of Mississauga Plan (see pages 4 and 5 of Appendix S-1 which identifies the principles but not an exhaustive list of the policies of Mississauga Plan that apply).

The primary concern is for the townhouse dwellings on the north side of the Pagehurst Avenue extension, at the connection with Silverplains Drive. However, modifications to the applications as described below, proposing detached dwellings in place of the townhouses under a “Residential - Low Density I” designation, would result in a satisfactory plan which will preserve the character of the existing neighbourhood yet still facilitate infilling and redevelopment.

The surrounding residential lands to the south and further to the east were developed over 40 years ago for detached dwellings, with generous setbacks, on lots having frontages that range from 15.2 m (50 ft.) to 16.7 m (55 ft.). Over time, street trees and private landscaping have matured, resulting in a community characterized by large lots that contain relatively modest two storey dwellings surrounded by soft landscaping. This form of development is typical of established, stable, suburban neighbourhoods of the late 1960’s era.

It was intended that at a future date, Pagehurst Avenue and Silverplains Drive would be extended through the subject parcels with detached lots of a similar form to what abuts the lands, thereby completing the neighbourhood with a familiar road pattern and compatible built form. A proposal to this effect was draft approved in 1987 by the Region of Peel but never registered. The application as filed is a departure from this original plan.

Official Plan policies state that residential intensification, in the form of more compact and higher densities, is encouraged, subject to addressing compatibility, scale and character of the area, and having regard for matters such as lot frontages and areas, building height, coverage, mass, setbacks and privacy. While it is reasonable to develop the northern portion of the lands for townhouses, the lands fronting the Silverplains Drive and

Pagehurst Avenue extensions should be developed for single detached dwellings for the following reasons:

- The massing and rhythm of the townhouses presently proposed for the north side of Pagehurst Avenue (3 storeys in height) is not in scale nor harmony with existing detached dwellings;
- Detached dwellings would complete the neighbourhood in an orderly fashion through the connection of local streets and sidewalks, of similar design;
- Detached dwellings of a similar scale and character as those proposed for the south side of Pagehurst Avenue and west side of Silverplains Drive would be compatible, notwithstanding the lots are smaller than those existing in the neighbourhood;
- The additional detached dwellings would result in an appropriate, gradual and compatible transition between the existing neighbourhood and the proposed townhouses to the north;
- Building height and mass would be compatible, subject to having similar height restrictions in place for the surrounding area;
- Lot frontages and setbacks would be similar, allowing for continuity in the neighbourhood, including street trees and other private green amenity;
- Limited concerns would exist from a privacy perspective or overlook situation.

If the lands on both sides of the Pagehurst/Silverplains connection are developed for detached dwellings, the density on that portion of the lands would be approximately 13 uph (5.2 upa) and no Official Plan Amendment would be required for that portion of the site.

An Official Plan Amendment to permit the development of the remainder of the lands, abutting Burnhamthorpe Road East, for townhouse dwellings under a “Residential - Medium Density I - Special Site” designation can be supported for the following reasons:

- With smaller detached lots on the north side of Pagehurst Avenue and on Silverplains Drive, the townhouses would provide a transition in built form from Burnhamthorpe Road East to the lower density residential uses in the interior of the community;
- The development would provide for a logical development as it relates to built form, street pattern and use of existing services;
- The development would result in a more compact urban form, and would provide an alternative form of housing within the community supported by all levels of services;
- Additional development will support transit services that regularly operate on Burnhamthorpe Road East and nearby on Ponytrail Drive, Dixie Road and Bloor Street;
- The lands are well situated to take advantage of a range of community services including Glenforest Pool, Burnhamthorpe Community Centre, Burnhamthorpe Library, a number of parks, all level of schools, and a range of commercial opportunities. Many of the above services can be accessed from the subject lands without the use of a vehicle.

The applicant has requested that Special Site Policies apply to the “Residential - Medium Density I” designation to permit a maximum of 22 townhouse dwellings, at a density of 73.3 units per hectare (29.6 units per acre). The Mississauga Plan policies for this designation provide for a density range of 25-50 uph (10-20 upa). To ensure that the quantity and quality of outdoor amenity space and landscape area provided for residents within the development is appropriate, that hard surface area is reduced, and to provide room for waste collection facilities and utility infrastructure, staff recommend that the upper limit of 50 uph (20 upa) be maintained.

A concept plan prepared by the Planning and Building Department which illustrates the conceptual street pattern layout, and detached dwelling and townhouse built form that is in keeping with the goals and objectives of the Official Plan is attached as Appendix S-3.

Zoning

The applicant is proposing to rezone the lands from “R3” (Detached Residential) to “R4(12)-Special Section” (Detached Residential) and “RM5-Special Section” (Multiple Residential) to permit townhouse and detached dwellings (see Appendix S-1, I-9 for details). As described above, staff cannot support townhouse development fronting onto the extensions of Pagehurst Avenue and Silverplains Drive, and recommend that it be replaced with detached dwellings, under a “R4(12)” (Detached Residential) zoning.

Proposed “R4(12)” Zone Provisions

The applicant is proposing that the maximum building height be 11.0 m (36.0 ft.) whereas 10.7 m (35.1 ft.) is required. As the proposed “R4(12)” lots will be smaller than the existing larger lots to the south and east and already represent a variation of the lot pattern within this established neighbourhood, it is recommended not to reduce the development standards any further. To do so may change the character of the neighbourhood. Accordingly, the maximum building height should be in keeping with the standard “R4(12)” zone provisions.

Proposed “RM5” Zone Provisions

Although an “RM5-Special Section” (Multiple Family) zone is appropriate for the townhouses proposed on the north portion of the site, the application is proposing some variances to the standard “RM5” zone which are not appropriate.

The applicant has requested that no maximum gross floor area or minimum open space provisions apply, being regulated by a proposed Schedule “I” (see Appendix S-1, I-9). In keeping with the recommendation provided above respecting density to provide an appropriate outdoor amenity and landscape area, reduction in hard surface, and room for waste and utility facilities, staff recommend a maximum GFA of 0.50 times the lot area and a minimum landscape open space of 40% of the lot area. This is in keeping with the current standard “RM5” zone requirements, and appropriate for the site specific characteristics associated with the

development and surrounding community. Consideration could be given to including the rear yard deck area as part of the landscape open space calculation.

Provided that the above noted GFA and landscape open space requirements are met, the following "RM5-Special Section" (Multiple Residential) zoning provisions could be supported:

- Rear yard decks having a depth of 4.0 m (13.1 ft);
- Units having a minimum dwelling frontage of 4.2 m (13.8 ft.), subject to all vehicular access for the units being at the rear. Any units having a garage accessed from the front should have a minimum dwelling frontage of 5.0 m (16.4 ft);
- Maximum building height of 13.6 m (44.6 ft.), above established grade;
- No requirement for parking of recreational equipment whereas 0.05 spaces is required.

The proposed Schedule "I" would need to be modified to reflect the above recommendations, and to address matters as discussed under the Site Plan section of the report.

Proposed Draft Zoning By-law

By-law 0225-2007, the new Mississauga Zoning By-law, was passed by City Council on June 20, 2007 and is currently under appeal. Once the By-law 0225-2007 comes into force and effect, the subject lands will be zoned "R3" (Detached Dwellings - Typical Lots) which permits detached dwellings having a minimum lot frontage of 15 m (49.2 ft.). This zone is consistent with the permitted uses and regulations contained within the existing "R3" (Detached Residential) zone for the subject property. Appendices S-4a and S-4b show extracts from both zoning by-laws for reference.

Draft Plan of Subdivision

The draft plan of subdivision for the subject lands proposes one townhouse block, and three detached blocks to be combined with proposed detached blocks on the Dunpar lands to the immediate

east, fronting onto extensions of Pagehurst Avenue and Silverplains Drive. Both Pagehurst Avenue and Silverplains Drive will be public right-of-ways. Roads within the townhouse development will form part of the proposed standard condominium.

It is recommended that the application be refused for reasons as identified above respecting compatibility and zoning standard concerns. An acceptable plan would incorporate the following (see Appendix S-3):

- Detached lots on the north side of the Pagehurst Avenue extension;
- Appropriate coordination with Dunpar Developments Inc. to the immediate west through the entering of required development and servicing agreements and the registration of applicable easement documents.

Site Plan Matters

The lands proposed for the townhouse component are subject to site plan approval. To date, only a concept plan has been filed (Appendix S-1, I-6), which included no conceptual building elevations. No formal site plan application has been filed with the City. The following comments will be applicable through the review of the site plan application once submitted:

- The development shall incorporate an outdoor play space, in accordance with City guidelines, which can be combined with the adjacent Dunpar development;
- Minimum landscape areas will be required along Burnhamthorpe Road East, around the site perimeter, and in front of each dwelling;
- An appropriate interface shall be provided between townhouse dwellings and detached dwellings, having regard for fencing and overlook conditions;
- Pedestrian connections should be provided through the development and to neighbouring streets, where possible;
- Setbacks, roads, driveway and sidewalk dimensioning should be consistent with those identified in City

guidelines. This includes a 4.5 m (14.7 ft.) setback from the street line to allow for landscaping and servicing;

- Building facades facing Burnhamthorpe Road East should be active, and provide direct pedestrian access;
- Visitor parking should be distributed throughout the site;
- On-site garbage and recycling collection shall be in accordance with the standards of the Region of Peel;
- All applicable site plan related matters should be coordinated with development proposed for lands to the immediate east.

Interim Residential Policies

On September 27, 2006, City Council endorsed OPA No. 58. This amendment added interim residential policies to Mississauga Plan. These policies protect stable neighbourhoods from inappropriate intensification and direct intensification to the Urban Growth Centre which runs south from Matheson Boulevard East to the Queen Elizabeth Way (QEW) along both sides of Hurontario Street and includes all of City Centre. Council has indicated its commitment to ensure that intensification and redevelopment is promoted in the appropriate areas. The alternative conceptual design recommended by staff is in keeping with these guidelines.

Provincial Policy Statement

As of March 1, 2005, a new Provincial Policy Statement (P.P.S.) took effect which sets the broad policy direction for planning decisions province-wide and lays the groundwork for other Government initiatives including the Greenbelt Plan, Places to Grow Plan and the Transportation Strategy. The Policies state that “new development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities”. The P.P.S. supports improved land use planning and management, which contributes to a more effective and efficient land use planning system. The alternative conceptual design recommended by staff is in keeping with the P.P.S.

Growth Plan for the Greater Golden Horseshoe

In June 2006, the Province released the *Growth Plan for the Greater Golden Horseshoe (Growth Plan)*. The *Growth Plan* provides direction on transportation, infrastructure planning, land use planning, urban form and housing to manage growth in the Golden Horseshoe Region to 2031. The *Growth Plan*, among other things, identifies Mississauga City Centre as being an urban growth centre and encourages transit supportive densities and the efficient use of land and infrastructure while discouraging sprawl. Although the *Growth Plan* encourages intensification generally throughout the built up area, it also states that it focuses “intensification in intensification areas such as urban growth centres, intensification corridors and major transit station areas.” Burnhamthorpe Road would meet the *Growth Plan*’s definition of an intensification corridor. However, the Plan also states that intensification needs to be directed to appropriate areas. The alternative conceptual design recommended by staff is in keeping with the objectives of the *Growth 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 Official Plan Amendment, rezoning and draft plan of subdivision applications are unacceptable from a planning standpoint and should not be approved for the following reasons:

1. The proposal for townhouse dwellings directly fronting on the extensions of Pagehurst Avenue and Silverplains Drive is not compatible with the existing community. An alternative of detached dwellings is recommended. Townhouse dwellings fronting onto Burnhamthorpe Road can be supported, at a maximum density of 50 uph (20 upa).
2. The proposal for an exception to the maximum building height for the detached dwelling zone provisions is incompatible with the existing community. It is

recommended that the standard “R4(12)” (Detached Residential) zone provision apply.

3. Exceptions for maximum density and minimum open space to the “RM5” (Multiple Family) zone provisions are inappropriate, and should be modified in accordance with recommendations in the report to provide a greater amount of open space within the development.

It is recommended that Council endorse the road configuration and development form as identified in Appendix S-3, Alternative Conceptual Design, which provides for an appropriate level of development for the lands that is consistent with the goals and objectives of the Official Plan, and in keeping with the surrounding community.

ATTACHMENTS:

Appendix S-1 - Information Report

Appendix S-2 - Recommendation PDC-045-2007

Appendix S-3 - Alternative Conceptual Design

Appendix S-4a - Revised Zoning Map (By-law 5500)

Appendix S-4b - Revised Zoning Map (By-law 0225-2007)

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: Rob Hughes, Development Planner



Corporate Report

Clerk's Files

APPENDIX S-1

Originator's

Files OZ 06/032 W3

T-M06007 W3

PDC JUN 11 2007

DATE: May 24, 2007

TO: Chair and Members of Planning and Development Committee
Meeting Date: June 11, 2007

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Official Plan Amendment, Rezoning and Draft Plan of
Subdivision Applications
To permit 3 detached dwellings, and 22 townhouse dwellings
under standard condominium tenure
1810 Burnhamthorpe Road East
Part of Lot 1, Registered Plan 387
South side of Burnhamthorpe Road East, west of
Ponytrail Drive
Owner: Radial Investments Limited
Applicant: M. Yarranton, KLM Planning Partners Inc.
Bill 20

Public Meeting

Ward 3

RECOMMENDATION: That the Report dated May 22, 2007, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan for a portion of the lands from "Residential - Low Density I" to "Residential - Medium Density I-Special Site" and to change the Zoning from "R3" (Detached Residential) to "R4(12)-Special Section" (Detached Residential) and "RM5-Special Section" (Multiple Residential), in addition to a Draft Plan of Subdivision, to permit 22 townhouses, and 3 detached dwellings in combination with lands to the immediate east, under file OZ 06/032 W3 and T-M06007 W3, Radial Investments Limited,

1810 Burnhamthorpe Road East, Part of Lot 1, Registered Plan 387, be received for information.

BACKGROUND:

Official Plan Amendment, Rezoning and Draft Plan of Subdivision applications have been circulated for technical comments and preliminary comments have been received from the community. The purpose of this report is to provide preliminary information on the above-noted applications and to seek comments from the community.

COMMENTS:

The landowner is proposing 22 townhouse dwellings under a standard condominium tenure, and 3 detached dwellings in combination with lands to the immediate west under the ownership of Dunpar Development Inc. Access and servicing for the lands is proposed to be coordinated through the Dunpar development (see Appendix I-6). Details of the proposal are as follows:

Development Proposal	
Applications submitted:	December 22, 2006
Number of Units:	Townhouse Dwellings: 22 Detached Dwellings: 3 part lots, to be combined with Dunpar Development Inc. lands to the east
Height:	13.6 m (44.6 ft.), being approximately 3-4 storeys
Lot Coverage:	40.3% (excludes rear yard decks)
Floor Space Index:	1.48 (for the entire development)
Gross Density:	Townhouses: 73.3 uph (29.6 upa) Detached Dwellings: 17.4 uph (7.0 upa) Combined: 60.9 uph (24.6 upa)
Landscaped Area:	34% (townhouse development)

Development Proposal	
Anticipated Population:	Townhouses: 65 people * Detached Dwellings: 5 people * *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:	50 spaces
Parking Provided:	50 spaces
Supporting Documents:	- Planning Justification Report - Phase I Environmental Site Assessment

Site Characteristics	
Frontage:	23.4 m (76.7 ft.)
Depth:	165.1 m (542 ft.)
Net Lot Area:	0.38 ha (0.94 ac.)
Existing Use:	All lands are presently vacant

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

Neighbourhood Context

The subject property is located on the south side of Burnhamthorpe Road East, west of Ponytrail Drive, adjacent to lands to the east assembled by Dunpar Developments Inc. and subject to applications for townhouses and detached dwellings (see Page 7 of this report for details). The lands are located on the edge of a stable low density neighbourhood developed in the mid to late 1960's. Generally, the built form is detached dwellings with a net density of approximately 14.2 units per hectare (5.7 units per acre). Silverplains Road terminates to the southeast of the subject lands. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

- North: Across Burnhamthorpe Road East, detached dwellings.
- East: Dunpar Developments Inc. lands, with detached dwellings having minimum lot frontages of 15 m (49.2 ft.) fronting Pagehurst Avenue, and Saints Martha and Mary Catholic Church, beyond.
- South: Detached dwellings having minimum lot frontages of 15 m (49.2 ft.) fronting Silverplains Drive.
- West: Hydro One power transmission corridor with detached dwellings beyond facing Pickmere Crescent beyond.

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

"Residential - Low Density I" which permits detached, semi-detached and duplex dwellings to a maximum density of 17 units per hectare (6.8 units per acre). The applications are not in conformity with the land use designation as the current designation does not permit townhouse dwellings. There are other policies in the Official Plan which are also applicable in the review of these applications including:

Residential Policies:

Section 3.2.3.2 of Mississauga Plan indicates that 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. Section 3.2.3.8 of Mississauga Plan indicates that residential intensification, in the form of more compact development and higher densities in appropriate development areas, is encouraged subject to certain criteria. This criteria speaks to meeting the following: adequate engineering and community services; compatibility with surrounding land uses; and, development proposals addressing the scale and character of the existing residential area.

Urban Design Policies:

Section 3.2.3.2 of Mississauga Plan indicates that design issues related to built form, scale, massing, orientation, parking,

overshadowing, and the quality and quantity of open space will be priorities in assessing the merits of residential development.

Section 3.15 of Mississauga Plan provides for policies which speak to appropriate built form and scale, streetscape and context, and compatibility with the surrounding built form.

Criteria for Site Specific Official Plan Amendments:

Section 5.3.2 of Mississauga Plan contains criteria which requires an applicant to submit satisfactory planning reports to demonstrate the rationale for the proposed amendment as follows:

- the proposal would not adversely impact or destabilize the following: the overall intent, goals and objectives of the Official Plan; and the development and functioning of the remaining lands which have the same designation, or neighbouring lands;
- the proposed land use is suitable for the proposed uses, and compatible with existing and future uses of surrounding lands;
- there is adequate infrastructure and community services to support the proposed development.

Proposed Official Plan Designation and Policies

"Residential - Medium Density I - Special Site" for the northern portion of the lands, to permit a maximum of 22 townhouse dwellings (being at a density of 73.3 units per hectare or 29.6 units per acre). The maximum permitted density under the "Residential - Medium Density I" designation is 50 units per hectare (20 units per acre). No change is proposed for the southern portion of the lands, proposed to accommodate the detached dwellings.

Existing Zoning

"R3" (Detached Residential) which permits detached dwellings having a minimum lot frontage of 15 m (49.2 ft.).

Proposed Zoning By-law Amendment

"R4(12)" (Detached Residential) to permit detached dwellings and **"RM5-Special Section" (Multiple Residential)** to permit

townhouse dwellings, under a standard condominium tenure. Details on exceptions requested to the base zoning by the applicant are contained in Appendix I-8.

Draft Mississauga Zoning By-law

A report on the new draft Zoning By-law was received at the Planning and Development Committee on April 30, 2007. A further addendum report was adopted by Council on May 23, 2007, with the exception of the Harris Farm. The implementing by-law is anticipated to be passed by Council on June 20, 2007.

The draft Zoning for this property is "R3" (Detached Dwellings - Typical Lots) which permits detached dwellings having a minimum lot frontage of 15 m (49.2 ft.). The timing of the site specific Zoning By-law to permit the proposed development may be affected by the passage of the new Mississauga Zoning By-law and potential appeals. A recommendation will be included in the supplementary report to address the new Mississauga Zoning By-law.

Proposed Draft Plan of Subdivision

The Draft Plan of Subdivision as filed on November 28, 2005, divides the lands into one large block for the townhouses and three part lots, to be combined with the Dunpar Developments Inc. lands to the east for detached dwellings.

COMMUNITY ISSUES

A community open house was held by Ward 3, Councillor Prentice on April 25, 2007. The following is a summary of issues raised by the Community:

Comments

- Concern was expressed that the development proposal is not in keeping with the scale and character of the current built form of the neighbourhood, and would result in a loss

of privacy for abutting homes and an overall devaluation of surrounding home prices;

- The proposed development will have an impact on traffic in the community, resulting in an increase in noise and pollution, and aggravation of a current on-street parking problem in the surrounding neighbourhood;
- Concern regarding how development on the lands will be coordinated with the neighbouring Dunpar Developments Inc. proposal;
- Concern for the lack of greenspace/landscaped area in the proposal.

Response

Comments regarding compatibility and design of the proposed development will be considered by the Planning and Building Department in a future Supplementary Report.

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-7 and school accommodation information is contained in Appendix I-8. Based on the comments received and the applicable Mississauga Plan policies the following matters will have to be addressed:

- Conformity with standard condominium guidelines;
- Compatibility with stable neighbourhoods to the south;
- Completion of the local road network;
- Pedestrian connections through the lands to school and park uses to the west;
- Development coordination with the Dunpar lands;
- Submission of acceptable noise, functional servicing and environmental reports;
- Provision of on-site servicing including utilities and waste management.

OTHER INFORMATION

Dunpar Developments Inc. Applications

Lands to the east of the subject lands are under application by Dunpar Developments Inc. to permit the construction of 105 townhouses, 8 detached lots, and 3 part lots to be combined with the subject lands. The two owners have worked to coordinate matters respecting development form, access and servicing. A Supplementary Report regarding the Dunpar applications was considered by the Planning and Development Committee on April 30, 2007, which recommended that they be refused on the basis that the proposal is incompatible with the surrounding community and the zoning standards requested are inappropriate. A full Ontario Municipal Board hearing is scheduled for August 20, 2007.

Interim Residential Policies

On September 27, 2006, City Council endorsed OPA No. 58. This amendment added interim residential policies to Mississauga Plan. These policies protect stable neighbourhoods from inappropriate intensification and direct intensification to the Urban Growth Centre which runs south from Matheson Boulevard East to the Queen Elizabeth Way (QEW) along both sides of Hurontario Street and includes all of City Centre. Council has indicated its commitment to ensure that intensification and redevelopment is promoted in the appropriate areas.

Development Requirements

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.

FINANCIAL IMPACT:

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

CONCLUSION: Most agency and City department comments have been received and after the public meeting has been held, the Planning and Building Department will be in a position to make a recommendation regarding these applications.

ATTACHMENTS:

- Appendix I-1 - Site History
- Appendix I-2 - Aerial Photograph
- Appendix I-3 - Excerpt of Applewood District Land Use Map
- Appendix I-4 - Excerpt of Existing Land Use Map
- Appendix I-5 - Draft Plan of Subdivision
- Appendix I-6 - Concept Plan
- Appendix I-7 - Agency Comments
- Appendix I-8 - School Accommodation
- Appendix I-9 - Detail Zoning Provisions
- Appendix I-10 - General Context Map

Edward R. Sajecki
Commissioner of Planning and Building

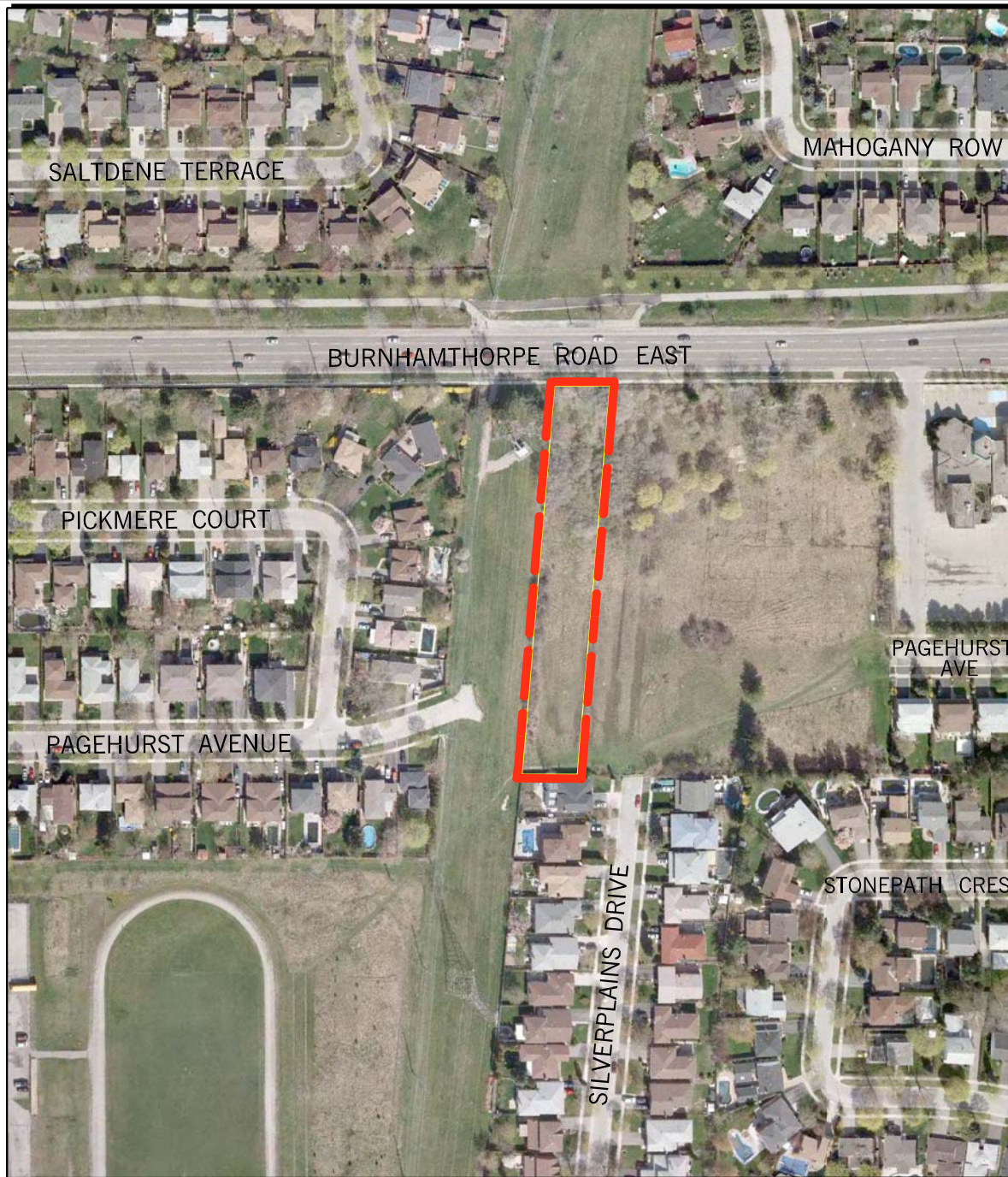
Prepared By: Rob Hughes, Development Planner

Radial Investments Limited

Files: OZ 06/032 W3 and T-M06007 W3

Site History

- June 11, 1987 - The Region of Peel draft approved Plan of Subdivision 21T-M86014 which included the subject lands in addition to four neighbouring parcels to the immediate east. This draft plan proposed a total of 27 detached dwellings and included the extension of both Pagehurst Avenue and Silverplains Drive to complete the local road network. The application was closed due to inactivity on October 1, 2004.
- May 5, 2003 - The Region of Peel approved the Mississauga Plan Policies for the Applewood District which designated the subject lands as “Residential - Low Density I” which permits detached dwellings.



LEGEND:



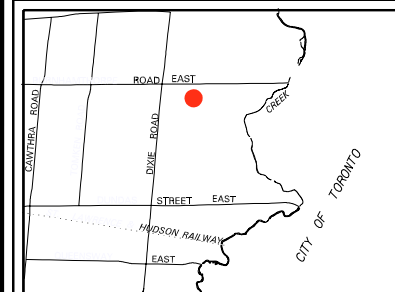
SUBJECT LANDS

DATE OF AERIAL PHOTO: 2006



SUBJECT:

RADIAL INVESTMENTS LIMITED



FILE NO:
OZ 06032 W3
T-M06007 W3

DWG. NO:
06032A

SCALE:

NTS

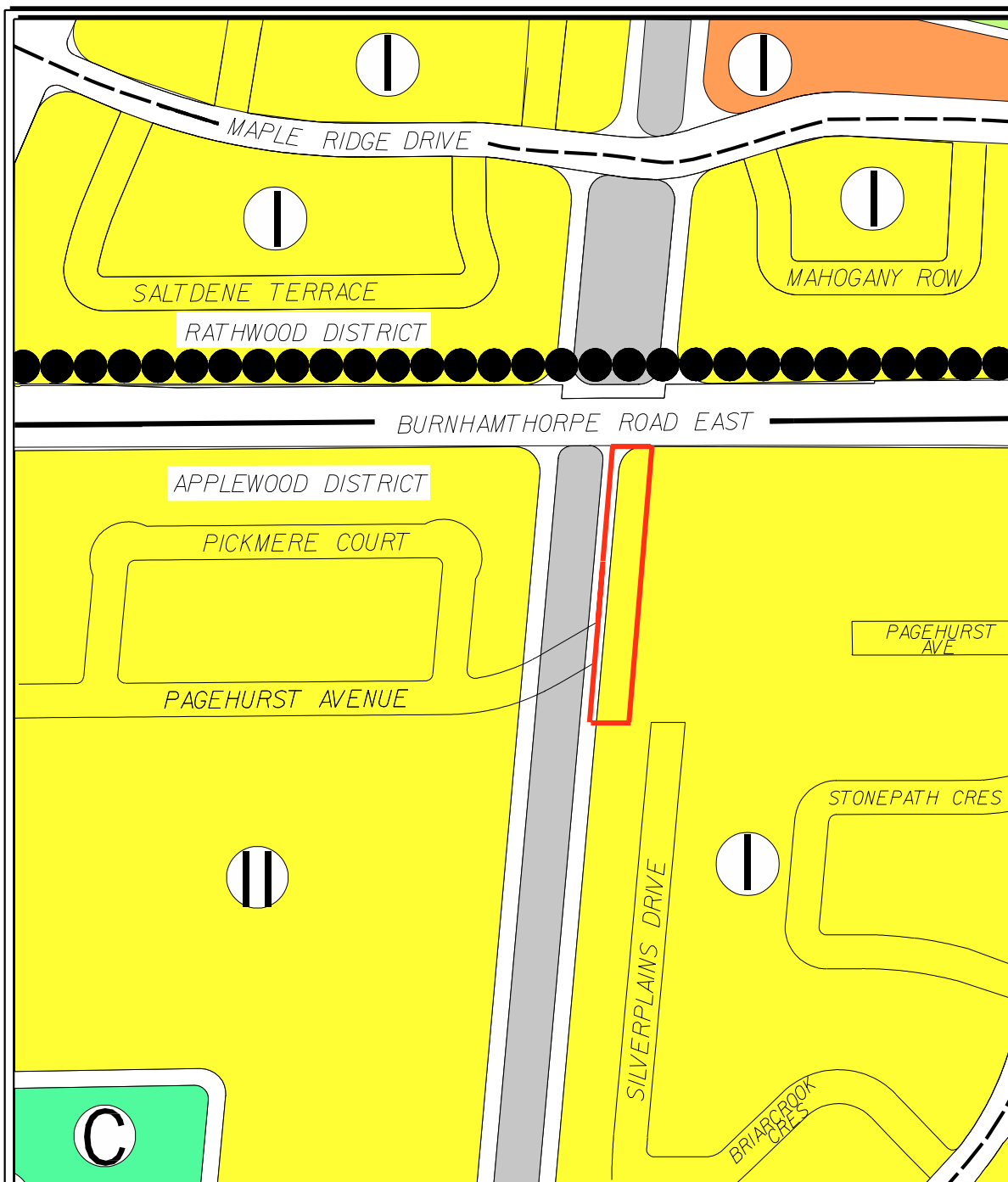
PDC DATE:
2007 06 11

DRAWN BY:
R.DICOSOLA

APPENDIX 1-2















MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics








PART OF APPLEWOOD DISTRICT LAND USE MAP **APPLEWOOD DISTRICT POLICIES OF MISSISSAUGA PLAN**






LAND USE DESIGNATIONS

-  Residential – Low Density I
-  Residential – Low Density II
-  Residential – Medium Density I
-  Residential – Medium Density II
-  Residential – High Density I
-  Residential – High Density II
-  General Commercial
-  Convenience Commercial
-  Motor Vehicle Commercial
-  Office
-  Open Space
-  Private Open Space
-  Greenbelt
-  Utility

TRANSPORTATION LEGEND

-  Arterial
-  Major Collector
-  Minor Collector
-  Local Road
-  Major Transit Corridor

LAND USE LEGEND

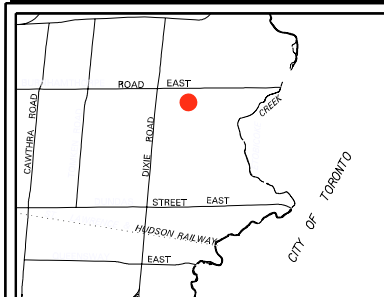
-  – Node Boundary
-  – Community Park
-  – Cemetery
-  – 1996 NEP/2000 NEF Composite Noise Contours
-  Planning District

 **SUBJECT LANDS**



SUBJECT:

RADIAL INVESTMENT LIMITED



FILE NO:
OZ 06032 W3
T-M06007 W3

DWG. NO:
06032L

SCALE:
1:5000

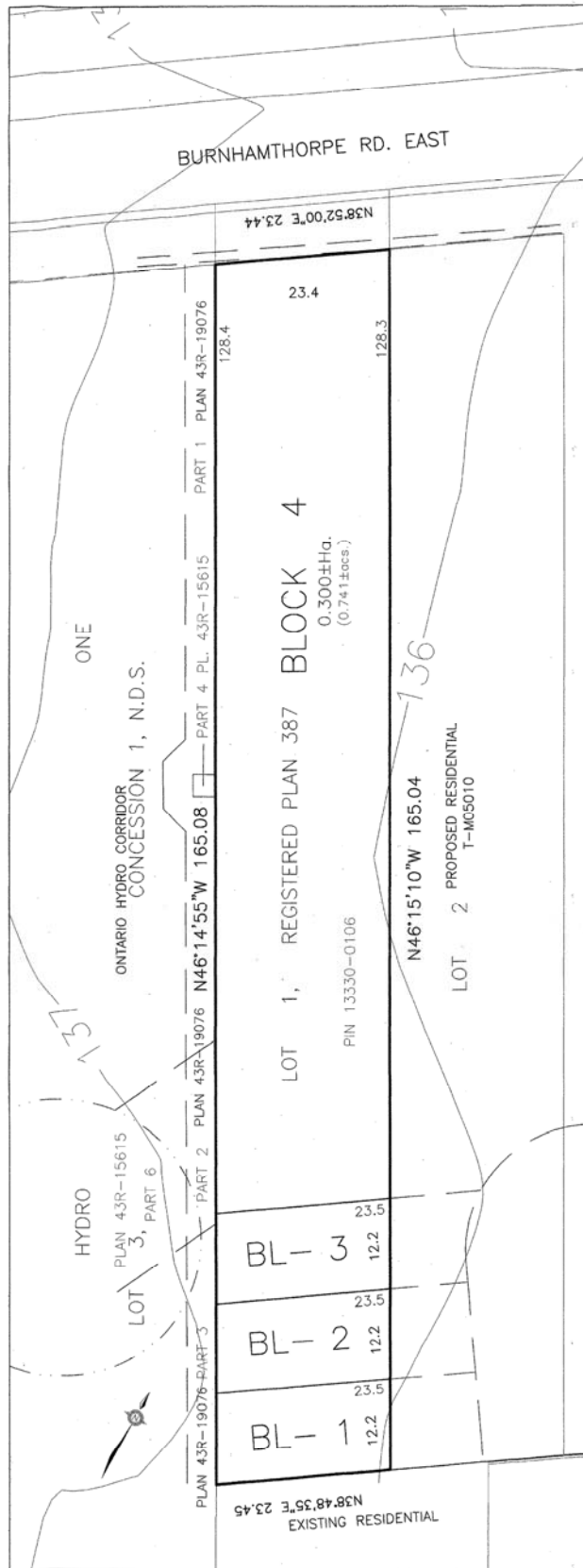
PDC DATE:
2007 06 11

DRAWN BY:
R.DICOSOLA

APPENDIX 1-3

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics





Radial Investments Limited**Files: OZ 06/032 W3 and T-M06007 W3****Agency Comments**

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

Agency / Comment Date	Comment
Hydro One Networks Inc. (March 22, 2007)	This agency has no objection to the applications in principle, subject to the incorporation of conditions of draft plan approval, as identified in the comments.
Region of Peel (April 26, 2007)	Regional staff have no objection to the approval of the development. Municipal sanitary sewer facilities consist of a 250 mm (1.0 in) diameter sanitary sewer located on Pagehurst Avenue and Silverplains Drive. Municipal water facilities consist of a 200 mm (0.75 in) diameter watermain located on Pagehurst Avenue and Silverplains Drive, and a 150 mm (0.6 in) diameter watermain on Burnhamthorpe Road East. Site servicing will also require looping of 200 mm (0.75 in) and 150 mm (0.6 in) diameter watermains between Pagehurst Avenue, Silverplains Drive and Burnhamthorpe Road East. The subject lands are not located within the vicinity of a landfill. The applicant will be required to accommodate the Region's waste collection design standards, as identified in the comments. A complete list of Regional conditions of draft plan approval are listed within their comments.
Dufferin-Peel Catholic District School Board and the Peel District School Board (April 26, 2007 and April 5, 2007)	<p>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.</p> <p>In addition, if approved, the Peel District School Board and the Dufferin-Peel Catholic District School Board also require the clearance of certain conditions of draft plan approval respecting bussing and accommodation of students.</p>

Radial Investments Limited

Files: OZ 06/032 W3 and T-M06007 W3

Agency / Comment Date	Comment
<p>City Community Services Department – Planning, Development and Business Services Division (April 9, 2007)</p>	<p>This Department indicated that the park serving the proposed residential development is Forest Glen Park located at Fieldgate Drive, north of Ponytrail Drive, and is approximately 305 m (1,000 ft.) measured in a direct line from the subject lands. The park contains one unlit softball diamond, one children's play structure, one spray pad, and park pathways. The City's park requirements have been met for this area.</p> <p>In view of the foregoing, if approved and prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to the <i>Planning Act</i> and in accordance with City Policies and By-laws. Payment for street tree planting on Burnhamthorpe Road East will also be required.</p> <p>Furthermore, in order to improve community accessibility and linkages for pedestrians and cyclists, a public pedestrian easement will be required to connect with a future easement to be located upon the abutting lands to the east, extending to Silverplains Drive; such an easement would provide a continuous connection between Silverplains Drive and the Hydro One utility corridor, abutting to the west. It should be noted that a future multi-use recreational trail has been identified as a long term potential secondary land use, as outlined in the report titled, <i>City of Mississauga Submission to the Provincial Secondary Land Use Program for Hydro Corridors (May 2005)</i>; if a future trail is approved, the terms and conditions would be outlined in a license agreement to be executed between the City and Hydro One.</p>
<p>City Community Services Department – Fire and Emergency Services Division (April 26, 2007)</p>	<p>This proposal is located within the response area of Fire Station 106 . At present average travel times to emergencies in this area of the City is 3.0 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.</p>

Radial Investments Limited**Files: OZ 06/032 W3 and T-M06007 W3**

Agency / Comment Date	Comment
City Transportation and Works Department (May 4, 2007)	<p>Prior to the preparation of a Supplementary Report, the applicant will be required to submit a supporting Noise Feasibility Study, a Functional Servicing Report and a Phase II Environmental Site Assessment (ESA). Additional comments will be provided pending the receipt and review of these updated reports.</p> <p>In addition, the draft plan of subdivision is to be revised to illustrate a 0.3 m (1.0 ft.) reserve along the site's Burnhamthorpe Road East frontage. Furthermore, the supporting conceptual site plan is to be revised such that all internal roads and services meet the City's minimum condominium standards.</p> <p>It was also indicated that the feasibility of this development proposal is dependent upon the satisfactory arrangements being established with the adjacent owner to the immediate east (T-M05010 W3, Dunpar Developments Inc.) for both access and servicing. Accordingly, the applicant is to provide written confirmation from Dunpar Developments Inc. that satisfactory arrangements have been made for access, servicing and the provision of the necessary easements.</p>
Other City Departments and External Agencies	<p>The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner:</p> <ul style="list-style-type: none"> - Bell Canada - Canada Post - City Development Services - City Economic Development - Enersource Hydro Mississauga - Greater Toronto Airports Authority

Radial Investments Limited**Files: OZ 06/032 W3 and T-M06007 W3**

Agency / Comment Date	Comment
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <ul style="list-style-type: none">- City Realty Services- Conseil Scolaire de District Catholique Centre-Sud- Conseil Scolaire de District Centre-Sud-Ouest- Enbridge Gas Distribution Inc.- Rogers Cable

Radial Investments Limited

Files: OZ 06/032 W3 and T-M06007 W3

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"> 4 Kindergarten to Grade 5 2 Grade 6 to Grade 8 3 Grade 9 to Grade 12 School Accommodation: <ul style="list-style-type: none"> Forest Glen Public School <ul style="list-style-type: none"> Enrolment: 543 Capacity: 491 Portables: 3 Glenhaven Senior Public School <ul style="list-style-type: none"> Enrolment: 511 Capacity: 545 Portables: 1 Glenforest Secondary School <ul style="list-style-type: none"> Enrolment: 1,314 Capacity: 1,023 Portables: 3 <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"> 6 Junior Kindergarten to Grade 8 2 Grade 9 to Grade 12/OAC School Accommodation: <ul style="list-style-type: none"> St. Alfred Elementary School <ul style="list-style-type: none"> Enrolment: 485 Capacity: 436 Portables: 6 Philip Pocock Secondary School <ul style="list-style-type: none"> Enrolment: 1,384 Capacity: 1,257 Portables: 5

Feb. 19, 2007

**THE CORPORATION OF THE CITY OF MISSISSAUGA
BY-LAW NUMBER XXXX-2007**

A by-law to amend By-law Number 5500, as amended.

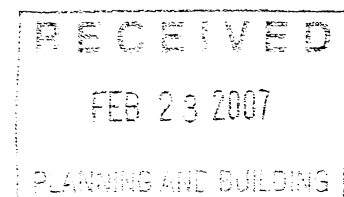
WHEREAS pursuant to Section 24 of the Planning Act, R.S.O., 1990, c.P.13, as amended, the council of a local municipality may pass a zoning by-law;

NOW THEREFORE the Council of The Corporation of the City of Mississauga
ENACTS as follows:

1. Map Number 19 of Schedule "B" to By-law Number 5500, as amended, is amended by changing thereon from "R3" to "RM5-xxxx" and "R4(12)-xxxx", the zoning of Part of Lot 1, Registered Plan 387, in the City of Mississauga, PROVIDED HOWEVER THAT the "RM5-xxxx" and "R4(12)-yyyy" zoning shall only apply to the lands which are shown on the attached Schedule "A".
2. By-law Number 5500, as amended, being a City of Mississauga Zoning By-law (former Town of Mississauga), is amended by adding the following section:

xxxx. Notwithstanding their "RM5" zoning, the lands delineated as "RM5-xxxx" on Schedule "B" of this By-law shall be used for row dwellings only, in compliance with the following:

- (1) the provisions of sections 21, 44(13)(ia), 44(12), 44(17)(b), 44(17)(k), 49(2), 49(3)(h) and 49(3)(k) of this By-law shall not apply;
- (2) no lot shall require frontage on a public street;
- (3) notwithstanding Schedule "T" of this section, a covered or uncovered platform or deck above the garage or in the rear yard, including stairs, may project a maximum of 4.0m beyond the buildable area;
- (4) notwithstanding Schedule "T" of this section, awnings, canopies, chimneys breasts, eaves, window projections and architectural features, with or without a foundation, such as, but not limited to, fireplaces, pilasters and corbels, may project a maximum of 0.8 metres beyond the buildable area and planter boxes with foundations may project 2.1 metres beyond the buildable area;
- (5) central air conditioning units shall be permitted on the rear decks of each unit;
- (6) the minimum width of a row dwelling unit shall be 4.2 metres;
- (7) the maximum height of a building or structure shall be 13.6 metres measured to the midpoint of the roof;



- (8) motor vehicle parking facilities shall be provided and maintained on the same lot in accordance with the following schedule:

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

- (9) an attached private garage shall be provided for each unit;
- (10) resident parking may be located in tandem to fulfill the number of parking spaces required by subsection (9) of this section;
- (11)
- (a) all buildings shall be located within the “Buildable Area” shown on Schedule “I” of this section;
 - (b) notwithstanding clause (13)(a) of this section, those matters which would otherwise be matters of site plan approval, such as the location and type of parking spaces, internal driveways, vehicle access points, fencing, hydro meter walls, and landscaping features, and the extent of landscaped areas, shall be determined through the site development plan approval process.

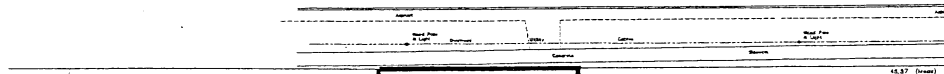
3. By-law Number 5500, as amended, being a City of Mississauga Zoning By-law (former Town of Mississauga), is amended by adding the following section:

yyyy. Notwithstanding their “R4(12)” zoning to the contrary, the lands delineated as “R4(12)-yyyy” on Schedule “B” of this By-law shall be used for one-family detached dwellings only, in compliance with the following:

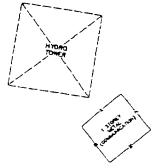
- (1) The maximum building height shall be 11 metres measured to the midpoint of the roof.

ENACTED and PASSED this _____ day of _____, 2007.

BURNHAMPTORPE ROAD EAST



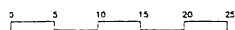
14.57 (Area)



**R3
TO
RM5-XXXX**

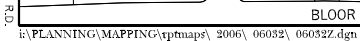
**R3
TO
R4(12)-YYYY**

**SILVERPLAINS
DRIVE**



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

APPENDIX I-10



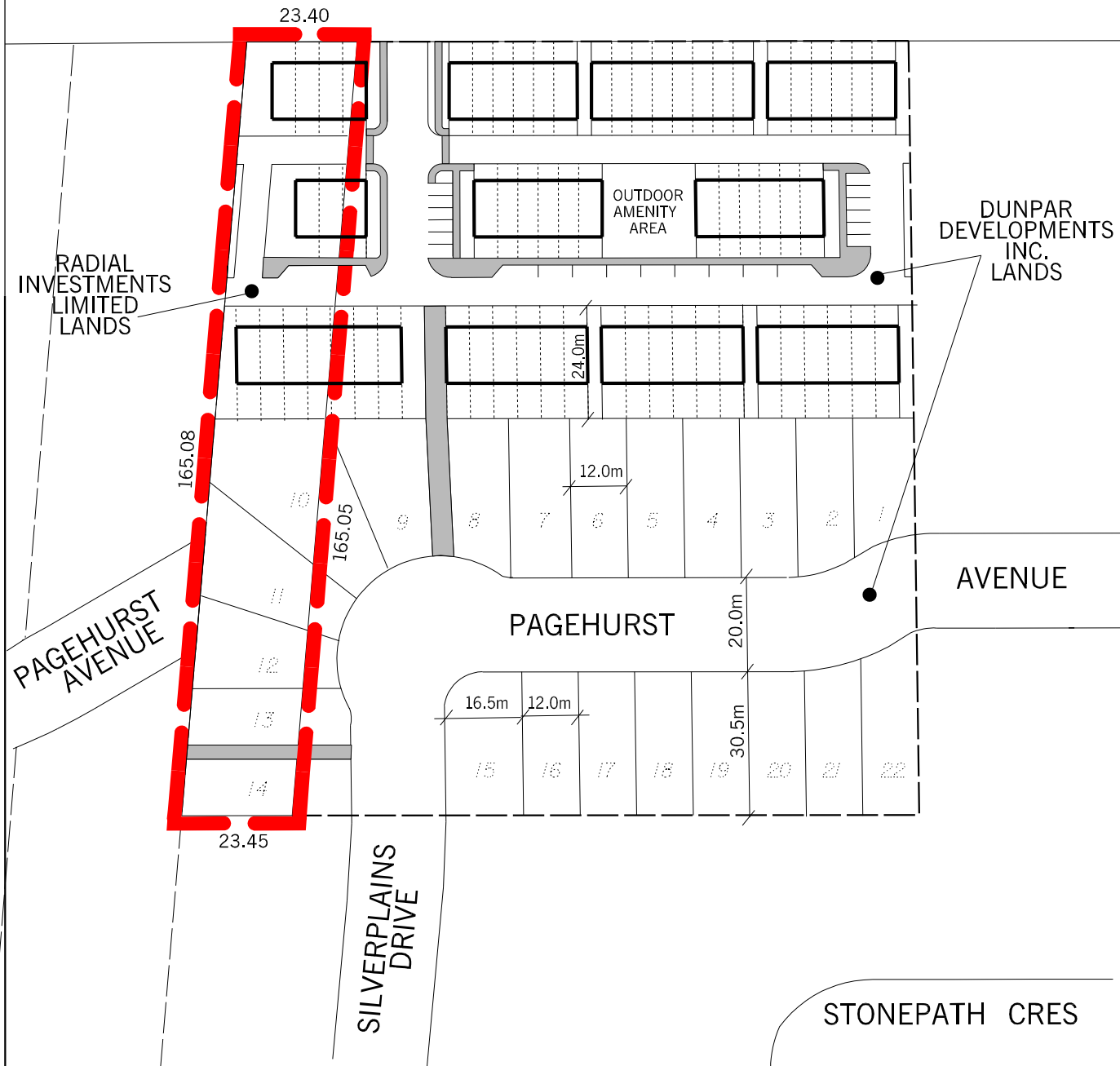
Radial Investments Limited

File: OZ 06/032 W3 and T-M06007 W3

Recommendation PDC-045-2007

- PDC-0045-2007
1. That the Report dated May 22, 2007, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan for a portion of the lands from "Residential - Low Density I" to "Residential - Medium Density I-Special Site" and to change the Zoning from "R3" (Detached Residential) to "R4(12)-Special Section" (Detached Residential) and "RM5-Special Section" (Multiple Residential), in addition to a Draft Plan of Subdivision, to permit 22 townhouses, and 3 detached dwellings in combination with lands to the immediate east, under file OZ 06/032 W3 and T-M06007 W3, Radial Investments Limited, 1810 Burnhamthorpe Road East, Part of Lot 1, Registered Plan 387, be received for information.
 2. That the petition presented at the June 11, 2007 Planning and Development Committee meeting, not supporting the Dunpar Development and Radial Investments proposal and endorsing a conceptual plan prepared by the Fleetwood Village Homeowners Association, be received.

BURNHAMTHORPE ROAD EAST



ALTERNATIVE CONCEPTUAL DESIGN

- 9 TOWNHOUSE DWELLINGS
- 2 FUTURE TOWNHOUSE DWELLINGS
- 5 FUTURE DETACHED DWELLINGS



FILE NO:
OZ 06032 W3
T-M06007 W3

DRAWING NO:
05042S7.DGN

DRAWN BY:
K. PROKOP

LEGEND:



SUBJECT LANDS



PROPOSED OFFICIAL PLAN AMENDMENT FOR A PORTION OF THE LANDS FROM "RESIDENTIAL-LOW DENSITY I" TO "RESIDENTIAL-MEDIUM DENSITY I-SPECIAL SITE" AND PROPOSED REZONING FROM "R3" (DETACHED RESIDENTIAL) TO "RM5-SPECIAL SECTION "(MULTIPLE RESIDENTIAL) TO PERMIT 22 TOWNHOUSES.



PROPOSED REZONING FROM "R3" (DETACHED RESIDENTIAL) TO "R4(12)-SPECIAL SECTION" TO PERMIT 3 DETACHED DWELLINGS IN COMBINATION WITH LANDS TO THE IMMEDIATE EAST.

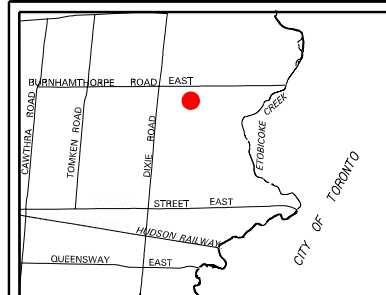
NOTE: THE NEW ZONING BY-LAW (BY-LAW 0225-2007) WAS PASSED BY COUNCIL ON JUNE 20, 2007 AND IS UNDER APPEAL. SHOULD BY-LAW 0225-2007 COME INTO FORCE AND EFFECT, THE ABOVE NOTED APPLICATION WOULD NEED TO BE CHANGED IN ACCORDANCE WITH APPENDIX S-4b AS ATTACHED.

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



SUBJECT:

RADIAL INVESTMENTS LIMITED



FILE NO:
OZ 06032 W3
T-M06007 W3

DWG. NO:
06032R

SCALE:
1:2500

PDC DATE:
2007 09 04

DRAWN BY:
R.DICOSOLA

APPENDIX S-4a

R3-421
DETACHED
DWELLINGS

SALTDENE TERRACE

R3-421
DETACHED DWELLINGS

R3-421
DETACHED
DWELLINGS

MAHOGANY ROW

R3-421
DETACHED
DWELLINGS

R3
DETACHED
DWELLS.

R3-
421
DETACHED
DWELLS.

BURNHAMTHORPE ROAD EAST

23.40

R3
DETACHED DWELLINGS

PICKMERE COURT

R3
DETACHED
DWELLINGS

RM1

SEMI-
DETACHED
DWELLINGS

R3

165.08

R3
DUNPAR
DEVELOPMENTS INC

R3
PLACE OF
RELIGIOUS ASSEMBLY

PAGEHURST
AVE

R3
DETACHED
DWELLINGS

PAGEHURST AVENUE

RM1

SEMI-
DETACHED
DWELLINGS

R3
DETACHED
DWELLINGS

R3
DETACHED
DWELLINGS

23.45

HYDRO CORRIDOR

SILVERPLAINS DRIVE

R3
GLENFOREST
SECONDARY SCHOOL

R3
DETACHED
DWELLINGS

STONEPATH CRES

R3
DETACHED
DWELLINGS

Dunpar Developments Inc.

File: OZ 06/032 W3

Recommendation PDC-0063-2007

PDC-0063-2007

"That the following recommendation be deferred to the Council meeting scheduled to be held on September 26, 2007:

1. That the Report dated August 14, 2007, from the Commissioner of Planning and Building recommending refusal of the Official Plan Amendment, Rezoning and Draft Plan of Subdivision applications under Files OZ 06/032 W3 and T-M06007 W3, Radial Investments Limited, 1810 Burnhamthorpe Road East, south side of Burnhamthorpe Road East, west of Ponytrail Drive, be adopted in accordance with the following:

(i) That the application to amend Mississauga Plan for a portion of the lands from 'Residential - Low Density I' to 'Residential - Medium Density I - Special Site' to permit townhouse dwellings be refused;

(ii) That the application to change the Zoning from 'R3' (Detached Residential) to 'R4 (12)-Special Section'(Detached Residential) and 'RM5-Special Section' (Multiple Residential) to permit detached dwellings and townhouse dwellings be refused;

(iii) That the Draft Plan of Subdivision under file T-M06007 W3 be refused;

(iv) That City Council endorse the road configuration and development form as identified in Appendix S-3, Alternative Conceptual Design, attached to the staff report.

2. That the letter dated August 31, 2007 from Fraser, Milner, Casgrain, Solicitors for Radial Investments Limited, requesting deferral of the above matter until such time as the Ontario Municipal Board has rendered its decision on the adjacent property at 1820 to 1850 Burnhamthorpe Road East owned by Dunpar Developments Inc., be received."



SITE PLAN

Dunpar Developments Inc.

File: OZ 06/032 W3

Recommended Zoning Standards**Proposed "R4-60" (Detached Dwellings-Typical Lots) Zone Category**

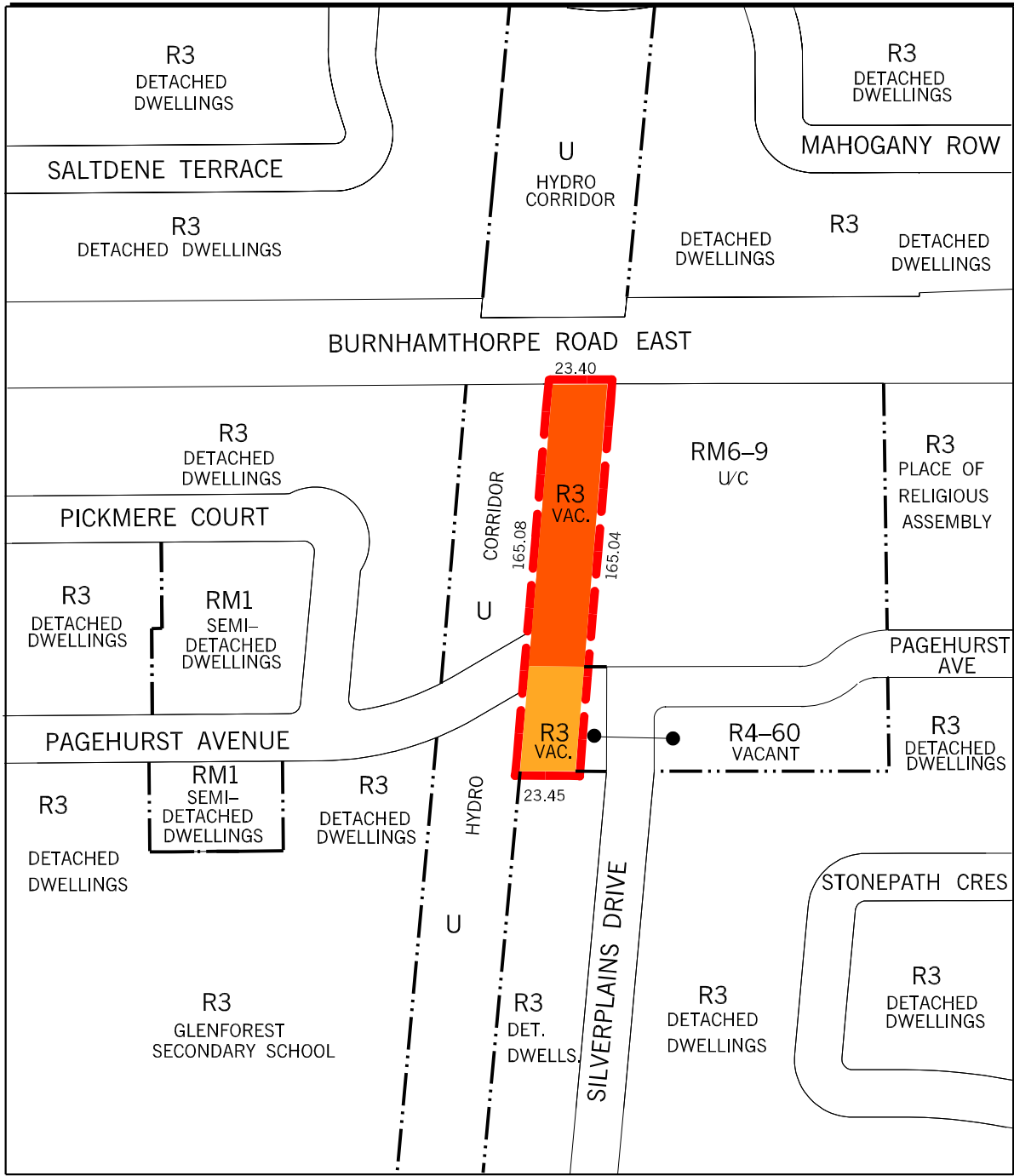
All R4 (Detached Dwellings-Typical Lots) zone standards apply, including a minimum lot frontage of 12 m (39 ft.), with the exception of the following:

Category	R4 Zone Standard	R4-60 Zone Standard
Minimum lot area - interior lot	365 m ² (3,929 sq. ft.)	325.0 m ² (3,498 sq. ft.)
Minimum lot area - corner lot	500 m ² (5,382 sq. ft.)	325.0 m ² (3,498 sq. ft.)
Min. lot frontage - corner lot	16.5 m (54.1 ft.)	12.0 m
Minimum front yard	6.0 m (19.6 ft.)	3.75 m
Minimum exterior side yard	4.5 m (14.7 ft.)	1.2 m
Maximum height	10.7 m (35.1 ft.)	11.0 m


Proposed "RM6-Exception" (Townhouse Dwellings On A CEC-Private Road) Zone Category


All RM6 (Townhouse Dwellings On A CEC-Private Road) zone standards apply, with the exception of the following:


Category	RM6 Zone Standard	RM6-Exception Standard
Permitted uses	Townhouse dwellings	Townhouse dwellings and semi-detached dwellings
Maximum number of townhouse dwellings	-	21
Maximum number of semi-detached dwellings	-	4
Maximum gross floor area	-	1.36
Minimum dwelling unit width	5.0 m (16.4 ft.)	4.2 m (
Minimum landscape area	25 %	20 %
Maximum height	10.7 m (35.1 ft.)	13.0 m (42.6 ft.)
Maximum encroachments of awnings, chimneys etc.	0.6 m (1.9 ft.)	0.8 m (
Maximum encroachments of planter box, retaining wall etc.	-	2.1 m
Location of AC unit	-	On a balcony
Minimum visitor spaces	0.25	0.20, no trailer standard
Tandem parking	-	Permitted
Compliance with Exception Schedule	-	Yes




LEGEND:

 **SUBJECT LANDS**

 PROPOSED OFFICIAL PLAN AMENDMENT FROM "RESIDENTIAL-LOW DENSITY I" TO "RESIDENTIAL-MEDIUM DENSITY I-SPECIAL SITE" AND PROPOSED REZONING FROM "R3" (DETACHED DWELLINGS-TYPICAL LOTS) TO "RM6-EXCEPTION "(TOWNHOUSE DWELLINGS ON A CEC-PRIVATE ROAD) TO PERMIT 21 TOWNHOUSES AND 4 SEMI-DETACHED DWELLINGS.

 PROPOSED REZONING FROM "R3" (DETACHED DWELLINGS-TYPICAL LOTS) TO "R4-60" (DETACHED DWELLINGS-TYPICAL LOTS) TO PERMIT 3 DETACHED DWELLINGS IN COMBINATION WITH LANDS TO THE IMMEDIATE EAST.

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



SUBJECT:
DUNPAR DEVELOPMENTS INC.

FILE NO:
OZ 06032 W3

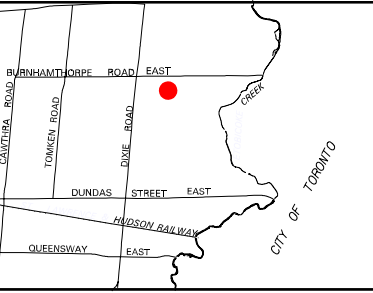
DWG. NO:
06032R

SCALE:
1:2500

PDC DATE:
2009/06/29

DRAWN BY:
R.DICOSOLA

APPENDIX SS-7



MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics