

Originator's

Files OZ 07/006 W1

**DATE:** June 16, 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:** Rezoning Application

To permit nine (9) detached dwellings on a CEC - private road

1629 Blanefield Road

South of the QEW, west of Cawthra Road Owner: Tupelo Investments Limited

Applicant: DeLuca Group

**Bill 51** 

Supplementary Report

Ward 1

#### **RECOMMENDATION:**

That the Report dated June 16, 2009, from the Commissioner of Planning and Building recommending approval of the application under File OZ 07/006 W1, Tupelo Investments Limited, be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, changes to the application 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 change the Zoning from "R3-1" (Detached Dwellings) to "R16-Exception" (Detached Dwellings on a CEC - private road) and "H-R16-Exception" (Detached Dwellings on a CEC - private road with Holding Provision) to permit nine (9) detached dwellings under common element condominium tenure be approved in accordance with the proposed zoning standards outlined in the Zoning section of this report and 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 Dufferin-Peel Catholic District School Board and Peel School Board not apply to the subject lands.
- 3. That the "H" Holding provision is to be removed from the "H-R16-Exception" (Detached Dwellings on a CEC private road with Holding Provision) zone applicable to Lots 8 and 9, and the associated temporary POTL blocks by further amendment, upon confirmation that the adjacent lands to the south have been acquired allowing them to be developed in conjunction with Lots 8 and 9 and the associated temporary POTL blocks.
- 4. That prior to the passing of an implementing zoning by-law, satisfactory arrangements be made between the City and the landowner with respect to the following:
  - submission of a revised Tree Inventory and Preservation Plan Report that accurately identifies trees to remain and to be removed on-site;

- submission of floor plans corresponding with the proposed building elevations for the dwellings on Lots 5 to 9 demonstrating that the proposed footprints can accommodate appropriate dwelling layouts;
- submission of a revised concept plan illustrating the location of the proposed private amenity areas on Lots 6 to 9 outside of the 3.0 m (9.8 ft.) utility easement adjacent to the turnaround bulb on the common element condominium road;
- submission of fencing details for the proposed development to ensure the provision of an acceptable buffer between the proposed development and abutting properties and that appropriate sightlines are maintained where necessary.
- 5. 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 May 26, 2008, at which time a Planning and Building Department Information Report (Appendix S-1) was presented and received for information.

At the public meeting, the Planning and Development Committee passed Recommendation PDC-0041-2008 which was subsequently adopted by Council and is attached as Appendix S-2.

Subsequent to the Public Meeting, through discussions with the Planning and Building Department staff, the applicant has revised the concept plan to:

- alter the size and configuration of Lot 8 previously shown on Appendix I-5 of the Information Report, dividing this parcel into two parcels (Lots 8 and 9) for future development in conjunction with the lands to the south; - provide for a 3.0 m (9.8 ft.) utility easement adjacent to the turnaround bulb on the common element condominium road; and,

- revise the proposed dwelling layout for Lot 5, providing an increased front yard setback to the building envelope ensuring that sight lines are maintained for the existing house to the south along South Service Road, (see Appendix S-3).

The applicant has also submitted updated building elevations for the proposed dwellings shown on Appendix S-4.

#### COMMENTS: COMMUNITY ISSUES

In addition to the comments received by the Planning and Building Department, as outlined in the Information Report, the following is a summary of those outstanding issues from the Community Meeting and those raised at the Public Meeting on May 26, 2008 together with responses to the comments received.

#### **Comment**

Concerns were raised with respect to the traffic impacts that the proposed development would have relating to: accessing both Blanefield Road (from the development) and South Service Road (from Blanefield Road); speeding along both Blanefield Road and South Service Road; sightlines along South Service Road; and the safety of pedestrians, particularly children.

#### Response

Transportation and Works Department staff completed a comprehensive review of the area in June 2008 addressing the speed limits, signage and the appropriateness of the posted curve speed. The results of the speed study did not indicate a speeding concern.

The existing signage comprising curve warning signs on the east and west approaches to the subject area are in good condition and are clearly visible to motorists. A "ball bank" test to reaffirm that the 40 km/h advisory speed is appropriate was also conducted. The results of the test indicated that the existing warning signs are above current industry requirements for signing a horizontal curve. To further increase driver awareness to the change in speed, staff will replace the existing curve warning signage with oversized signs maintaining the 40 km/h advisory speed.

#### Comment

Concerns were raised with respect to the proposed density and that the number of units should be reduced by half.

#### Response

The proposed density is in conformity with the "Residential Low Density II" policies of the Mineola District. Further discussion regarding the appropriateness of the proposed development is included in the Planning Comments section of this report.

#### Comment

The surrounding area is characterized by much larger and deeper lots. The proposed POTLs are not in character with the surrounding area. Concerns were raised about the proposed rear yard setbacks to the abutting neighbour to the south, loss of privacy and property value.

#### Response

Discussion regarding the appropriateness of the proposed POTL sizes and depths is included in the Planning Comments section of this report.

#### Comment

The loss of mature trees is a concern.

#### Response

We are in receipt of a revised Arborist report. Staff has requested that the drainage pattern for the site be reviewed in order to minimize the impact on existing trees on adjacent properties. Through the Site Plan approval process, staff will ensure that there will be an acceptable amount of new plantings to replace any trees being removed on the subject lands.

#### Comment

Questions were raised by the Planning and Development Committee at the Public Meeting as to whether Ministry of Transportation permits would be required and whether the Ministry has provided a timeline with respect to when they will know their exact land requirements.

#### Response

MTO permits would be required before building permits can be issued and, in addition, clearance would be required from the Ministry prior to site plan approval being issued. Comments regarding the Ministry's land requirements are included in MTO's updated comments as outlined in the Updated Agency and City Department Comments section of this report.

#### **Comment**

A question was raised by the Planning and Development Committee at the Public Meeting as to whether there had been an attempt made by the landowner to obtain the hold-out parcels, how noise would be mitigated for the lots along South Service Road and how Lots 8 and 10 are accessed.

#### Response

It was outlined by the applicant that several attempts had been made to acquire the hold-out lands; noise associated with the outdoor amenity areas for the lots along South Service Road would be mitigated by the dwellings themselves since the rear yards would be adjacent to the common element condominium (CEC) road; Lot 8 would be accessed from the CEC road and Lot 10 on the plan, that is not part of this application but is owned by the applicant ,would be accessed directly from Blanefield Road.

# UPDATED AGENCY AND CITY DEPARTMENT COMMENTS

#### **Ministry of Transportation (MTO)**

In comments updated June 4, 2009, the Ministry provided the following comments:

- The proposed north limit of the property line complies with the minimum proposed right-of-way (ROW) required for future widening of the QEW as discussed at a meeting with the City of Mississauga in December 2008;
- The Ministry would like to reiterate that the actual "ultimate" widening has not been determined at this time, as a preliminary design study has not been initiated. The north limits of the property line for this development meet only the absolute minimum ROW requirements required by the Ministry, and impacts to the property may occur in the future as a result of the development of design alternatives during the preliminary design;
- The Ministry has no objection in principle to the proposed development. In general, the applicant should be made aware that a building setback requirement of 14.0 m (45.93 ft.) from the Ministry's ultimate property limit is required. The Ministry's building and setback limit also includes, but is not limited to, all above and below ground structures, frontage roads, fire routes, stormwater management facilities and servicing/utilities;
- Any proposed noise attenuation features (walls, berms) must be contained within the subject lands, and set back a minimum of 0.3 m (1.0 ft.) from the Ministry's property limits. Noise attenuation features are the sole responsibility of the City and/or the applicant. The Ministry strongly recommends that a clause be inserted into the Purchase Agreement making all purchasers fully aware of the proximity of the QEW from an aesthetic and noise perspective;

- No encroachment onto the Ministry's right-of-way will be permitted;
- No access to the QEW will be permitted;
- The applicant is advised that the Ministry requires the following, as a minimum, in copies of (3) during the municipal Site Plan/Condominium Plan approval process: Site Servicing and Grading plans, Stormwater Management Report, Site Plan and a Survey Plan;
- MTO permits are required prior to commencement of grading/servicing/internal road construction, as well as for individual building lots, within 45 m (147.64 ft.) of the Ministry's property limits and within a 395 m (1,295.93 ft.) radius of the centrepoint of the intersection of QEW/Cawthra Road. Sign permits will also be required for any visible signing within 400 m (1,312.34 ft.) from the QEW/South Service Road property limits.

Detailed comments will be provided during the municipal circulation of an official Site Plan/Condominium Plan submission.

#### **City Transportation and Works Department**

In comments updated June 15, 2009, this Department indicated that the applicant has provided a satisfactory revised Noise Report which concludes that with the inclusion of the appropriate noise mitigation measures, the surrounding noise sources will not adversely impact the proposed residential development. In addition, the supporting Functional Servicing and Stormwater Management Report confirms that adequate storm servicing is available for the subject development.

The applicant's solicitor has provided satisfactory documentation outlining how the temporary POTL blocks will be added to what will be an established common element condominium development. It is noted that use of a holding provision is proposed with respect to the applicant's remaining land holdings, including the temporary POTL blocks Specific details regarding

the contractual framework for the ultimate development of the future POTL blocks will be included in the Development Agreement.

Should this application be approved by Council, the applicant will be required to:

- gratuitously dedicate the necessary lands towards the ultimate 20 m (65.62 ft.) right-of-way for South Service Road;
- enter into the appropriate legal arrangements with the City to allow future purchasers/tenants of proposed POTLs 5 to 9 to access the existing municipal sidewalk;
- provide securities for the satisfactory installation of air conditioning units and special acoustic building measures; and,
- submit a Phase I Environmental Site Assessment (ESA) for review and approval.

# City Community Services Department – Planning, Development and Business Services Division

In comments updated June 3, 2009, this Department indicated that based on the applicant's revised Tree Inventory and Preservation Plan, there are several trees located within the municipal boulevard. The applicant shall be responsible for implementing appropriate tree preservation efforts, to the satisfaction of this Department. Where feasible, new street trees will be planted within the municipal boulevard.

#### **School Accommodation**

In comments, updated June 2, 2009, the Dufferin-Peel Catholic District School Board stated that in addition to their comments dated April 4, 2008, outlined in the Information Report, they note as follows:

"Please be advised that St. Dominic Elementary School is currently in the Dixie Shorefront Accommodation Review Area for school closures. The School Board's Long Term Accommodation Plan requires that 720.5 pupil places be reduced in this area. An Accommodation Review Committee has been established to

consider the possible options for closure and consolidation of schools in the review area."

#### PLANNING COMMENTS

#### Official Plan

The proposal conforms to the housing form and density provisions of the "Residential Low Density II" designation of the Mississauga Plan Policies for the Mineola District as outlined in the Information Report (see Appendix S-1). An Official Plan Amendment is not required to accommodate the development proposal.

The General Polices of Mississauga Plan direct that residential lands will be developed to achieve a compact, orderly urban form generally characterized by lower densities in the interior of communities. In addition, design issues related to built form, scale, massing, orientation, parking and overshadowing will be priorities in assessing the merits of residential development. Site development that reinforces and enhances the community character and respects the immediate context is promoted by Mississauga Plan.

The applicant's proposal adequately responds to this policy direction in the following manner:

- Detached dwellings are an appropriate housing form for the neighbourhood, given the surrounding land use pattern;
- The proposed dwellings on Lots 5 to 9 adjacent to South Service Road are designed and oriented towards the public street which will create an urban street character along the street frontage. In addition, through the Site Plan approval process, a pedestrian walkway from the front of the units to the public street will assist in creating a visual and functional relationship between private and public space;

• The distance provided from the rear walls of the proposed detached dwellings and height of the dwellings on Lots 1 to 4 will ensure that overlook conditions are minimized;

• An "H" Holding provision is proposed to be placed on a portion of the site (Lots 8 and 9 and the associated temporary POTL blocks adjacent to the CEC road) since these lands cannot be developed at this time until the adjacent lands to the south are acquired. This would allow for proper sized POTLs to be incorporated into the Condominium declaration having access to the common element condominium road. As such, the proposed site layout and configuration represents an orderly development of the site.

## **Zoning**

The proposed "R16 - Exception" (Detached Dwellings on a CEC - private road) zone (see Appendix S-1, Page 4) is appropriate to accommodate the proposed nine (9) detached dwellings on a common element condominium road.

An exemption schedule consistent with the revised concept plan shown on Appendix S-3 is proposed to govern the number of dwelling units, setbacks to property lines and condominium road and separation distances between dwellings as well as the location and placement of amenity areas, fencing, air conditioning and utility details.

Rear yard setbacks to the abutting neighbour to the south for Lots 1 to 4 are proposed to be 7.5 m (24.6 ft.), which is in keeping with the applicable zone regulations for an "R16" (Detached Dwellings on a CEC - private road) zone and the minimum zoning requirements currently applicable to the adjacent residential properties on Blanefield Road and South Service Road. Although the rear yards facing the condominium road for the units fronting onto South Service Road are reduced to 4.5 m (14.76 ft.), the proposed lots are wider and therefore, the size of the proposed amenity area on these lots is considered adequate.

The proposed front yard setbacks for the units on Lots 6 to 9 along South Service Road are 3.0 m (9.84 ft.), however, the municipal boulevard in front of those dwellings is approximately 7.5 m (24.6 ft.). Therefore, visually there will be sufficient distance between the front wall of the dwellings and the public road. The front yard setback to the building envelope for Unit 5 has been increased, as shown on the revised concept plan, to better align with the existing dwelling to the south thereby providing increased visibility and ensuring sight lines are maintained.

The proposed concept plan provides for a minimum of 2 parking spaces/unit for units 1 to 4 and either 3 or 4 parking spaces/unit for the balance of the development, which meets or exceeds the general provisions of Zoning By-law 0225-2007 which requires a minimum of 2 spaces/unit. The proposal is providing 7 visitor parking spaces which exceed the typical visitor parking rate for condominiums of 0.25 spaces per unit.

The applicant has not provided fencing details for the proposed development. To ensure that the fencing is adequate to provide an acceptable buffer between the proposed development and abutting properties and that appropriate sightlines are maintained where necessary, staff propose that the implementing zoning by-law and development agreement for the proposal incorporate appropriate provisions/wording accordingly.

As noted above, the proposed dwellings on Lots 5 to 9 fronting onto South Service Road, are to be oriented and designed to ensure that the main dwelling entrances face the public street with vehicle access to garages from the common element condominium road, and private amenity areas that are internal to the site. In addition, external heating and air conditioning equipment and utilities should be prohibited in the front yards. It is proposed that the implementing zoning by-law and development agreement incorporate appropriate provisions/wording consistent with these desired design principles so as to provide for a more aesthetically desirable development.

#### "H" Holding Provision

Section 5.3.3.1 of Mississauga Plan permits the enactment of an "H" Holding Provision to implement the policies of Mississauga Plan for staging of development and specific requirements. Given that Lots 8 and 9 and the associated temporary POTL blocks cannot be developed at this time until the adjacent lands to the south is acquired, it is necessary to implement an "H" Holding Provision on this portion of the site. As such, the "H-R16-Exception" (Detached Dwellings on a CEC - private road with Holding Provision) zone is appropriate in this instance while permitting the balance of the lands to be developed at this time (see Appendix S-5 - Excerpt of Existing Land Use Map (Revised)).

Upon confirmation that the adjacent lands to the south have been acquired allowing them to be developed in conjunction with Lots 8 and 9 and the associated temporary POTL blocks, the "H" Holding provision would be removed by further amendment to the Zoning By-law.

#### **Conceptual Elevations**

An issue was raised in the Information Report regarding the proposed elevations for the dwellings facing the public street and the need for these units to meet the intent of the Infill Housing Policies (S. 4.24.3.1) of the Mineola District with respect to deemphasizing the height of the buildings and to be designed as a composition of smaller architectural elements. Through the site plan approval process, the City will ensure that the proposed dwellings appropriately address the principles included in the Infill Housing policies.

#### **Green Development Initiatives**

There have been no green development initiatives identified by the applicant at this time. Planning and Building Department staff will encourage the applicant to consider green initiatives through the Site Plan approval process.

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 proposed revisions to the application which comprise site layout changes for Lots 8 and 9 for future development, as shown in Appendix S-2, the introduction of an "H" Holding provision for this portion of the site, and the inclusion of additional specific zone provisions to provide for a more aesthetically desirable development are deemed minor. Therefore, it is recommended that no further public meeting need be held regarding the proposed changes.

The proposed Rezoning is acceptable from a planning standpoint and should be approved for the following reasons:

- 1. The proposal for nine (9) detached dwellings on a Common Element Condominium (CEC) Road is in conformity with the Mississauga Plan policies for the Mineola District.
- 2. The proposal represents an appropriate infill development and is compatible with the surrounding land uses.
- 3. The inclusion of an "H" Holding Provision for a portion of the site will ensure the orderly development of the subject lands in conjunction with the adjacent lands to the south prior to the underlying zoning coming into effect.
- 4. The proposed "R16-Exception" (Detached Dwellings on a CEC private road) and "H-R16-Exception" (Detached Dwellings on a CEC private road with Holding Provision) zones are appropriate to accommodate the requested uses and the site specific development standards given the characteristics and size of the lot.

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Appendix S-1 - Information Report **ATTACHMENTS**:

Appendix S-2 - Recommendation PDC-0041-2008

Appendix S-3 - Revised Concept Plan

Appendix S-4 - Updated Building Elevations

Appendix S-5 - Excerpt of Existing Land Use Map (Revised)

Edward R. Sajecki

Commissioner of Planning and Building

Clerk's Files



Originator's

Files OZ 07/006 W1

#### **PDC** MAY 26 2008

**DATE:** May 6, 2008

**TO:** Chair and Members of Planning and Development Committee

Meeting Date: May 26, 2008

**FROM:** Edward R. Sajecki

Commissioner of Planning and Building

**SUBJECT:** Information Report

**Rezoning Application** 

To permit eight (8) detached dwellings on a CEC - private road

1629 Blanefield Road

South of QEW, west of Cawthra Road Owner: Tupelo Investments Limited

Applicant: DeLuca Group

**Bill 51** 

Public Meeting Ward 1

**RECOMMENDATION:** That the Report dated May 6, 2008, from the Commissioner of

Planning and Building regarding the application to change the Zoning from "R3-1" (Detached Dwellings) to "R16 – Exception" (Detached Dwellings on CEC - private road) in By-law 0225-2007,

to permit eight detached dwellings all under common element

condominium tenure under file OZ 07/006 W1, Tupelo Investments Limited, 1629 Blanefield Road, be received for

information.

**BACKGROUND:** The above-noted application has been circulated for technical

comments and a community meeting has been held.

The purpose of this report is to provide preliminary information on

the application and to seek comments from the community.

# **COMMENTS:**

Details of the proposal are as follows:

Development Proposal	
Application	March 21, 2007 (submitted)
submitted:	April 27, 2007 (deemed complete)
	April 3, 2008 (application revised)
Height:	Two (2) storeys
Lot Coverage:	20 %
Landscaped	50 %
Area:	
Net Density:	16 units/ha (6 units/ac.)
Gross Floor	2 240 m <sup>2</sup> (24,112 sq. ft.) for all 8 units
Area:	2 240 III (24,112 sq. It.) Ioi all 8 ullits
Number of	8
units:	
Anticipated	27*
Population:	*Average household sizes for all units
	(by type) for the year 2011 (city average)
	based on the 2005 Growth Forecasts for
	the City of Mississauga.
Parking	2.0 resident spaces per unit = 16 spaces
Required:	0.25 visitor spaces per unit = 2 spaces
	18 spaces required in total
Parking	22 resident spaces
Provided:	7 visitor spaces
	29 spaces in total
Supporting	Functional Servicing and Stormwater
Documents:	Management Design Brief; Noise Impact
	Feasibility Study; Arborist Report; and,
	Planning Justification Letter

Site Characteristics	
Frontage:	54.86 m (179.99 ft.) on Blanefield Road
	(split by 1635 Blanefield Road)
Depth:	Irregular
	greatest depth = 128.70 m (422.24 ft.)
Net Lot Area:	0.46 ha (1.14 ac.)
Existing Use:	One detached dwelling

Additional information is provided in Appendices I-1 to I-9.

#### **Neighbourhood Context**

The subject property is located in a mature, stable residential area immediately abutting South Service Road, west of Cawthra Road. The site has a number of trees and is relatively flat. There is one detached dwelling existing on the site. However, the majority of the site is vacant and surrounds a property containing a detached dwelling (1635 Blanefield Road). Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

North: South Service Road and the QEW

East: South Service Road and off ramps for the QEW

South: Detached dwellings West: Detached dwellings

# **Current Mississauga Plan Designation and Policies for the Mineola District**

"Residential Low Density II" which permits detached dwellings within a net density range of 11-18 units per net residential hectare (4-7 units per net residential acre). The application is in conformity with the land use designation and no official plan amendments are proposed at this time.

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

#### **Urban Design Policies – Infill Housing (Section 4.24.3.1)**

For all development of detached dwellings identified in the Site Plan Control By-law, specific design policies apply. The policies include:

- preserving and enhancing setbacks;
- preserving existing grades and drainage conditions;
- encouraging new housing to fit the scale and character of the surrounding area;
- discouraging projecting garages;
- ensuring new development has minimal impact on its adjacent neighbours with respect to shadowing and overlook;
- encouraging buildings to be 1-2 storeys in height and the design of the building to de-emphasize the height;
- reducing hard surface areas in the front yard;

- preserving existing vegetation;
- discouraging large accessory structures;
- encouraging the building mass, side yards and rear yards to respect and relate to those of adjacent lots.

#### **Existing Zoning**

"R3-1" (Detached Dwellings), which permits detached dwellings on lots with a minimum frontage of 15.00 m (49.21 ft.) and a minimum area of 550.00 m<sup>2</sup> (5,920.34 sq. ft.).

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

"R16-Exception" (Detached Dwellings on a CEC – private road), to permit eight (8) detached dwellings all under common element condominium tenure. The current proposal includes reduced minimum lot frontage and lot area requirements as well as some reduced setbacks from the standard "R16" regulations.

As part of the rezoning, the applicant is proposing that the following standards be applied:

	Required Zoning	<b>Proposed Standard</b>
	By-law Standard	
Parking	2.0 resident spaces	No change
	per unit	
	0.25 visitor spaces	
	per unit	
Landscaped Open	No requirement	No change
Space		
Maximum Lot	35% of the lot area	No change
Coverage		
Minimum Front	7.50 m (24.60 ft.)	Variable:
Yard		Exception Schedule
		is proposed
Minimum Rear Yard	7.5 m (24.60 ft.)	Variable:
		Exception Schedule
		is proposed
Minimum Exterior	6.0 m (19.69 ft.)	No change
Side Yard		
Minimum Interior	1.81 m (5.94 ft.) for	1.50 m (4.92 ft.)
Side Yard	a two storey	
	dwelling	

#### **COMMUNITY ISSUES**

A community meeting was held by Ward 1 Councillor, Carmen Corbasson on June 27, 2007.

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

#### Comment

Concern was raised with respect to the traffic impacts that the proposed development would have relating to: accessing both Blanefield Road (from the development) and South Service Road (from Blanefield Road); speeding along both Blanefield Road and South Service Road; sightlines along South Service Road; and the safety of pedestrians, particularly children.

#### Response

The traffic impacts of the proposed development are being examined by the Transportation and Works Department and further comment will be provided in a future Supplementary Report. The dedication of a strip of land along South Service Road is being required through the processing of this application. In addition, the lands at the corner of Blanefield Road and South Service Road are owned by the applicant but not subject to this application. Through any development application associated with the development of those lands, the dedication of a daylight triangle at the corner of Blanefield Road and South Service Road will be required. It is anticipated that these land dedications will assist in improving sightlines.

#### **Comments**

The proposal includes a number of POTLs (parcel of tied land) backing on to the properties to the south, 1621 Blanefield Road and 1620 Cawthra Court. The rear yards of these properties will be negatively impacted due to the proximity of the proposal.

The proposal only includes three visitor parking spaces. It is unlikely that this is a sufficient number of visitor parking spaces. Therefore, visitors will be parking on Blanefield Road and other side streets in the area which will have a negative impact.

#### Response

Since the community meeting, the applicant has revised the proposed development to reduce the number of units and introduce a turnaround "bulb". The result of this redesign is that there are only 4 units backing on to the properties to the south, rather than 8 as previously proposed. Further, the proposed "bulb" allows for seven visitor parking spaces to be provided, rather than 3 as previously proposed.

#### Comment

The applicant is attempting to maximize the unit yield by proposing a condominium road rather than a public road. Too many units are proposed; the maximum should be six.

#### Response

The appropriateness of the proposed density will be reviewed and analyzed through the further processing of this application and comments will be provided in a future Supplementary Report. As noted, the lands are currently designated "Residential Low Density II" in the Mineola District allowing detached dwellings within a net density range of 11-18 units per net residential hectare (4-7) units per net residential acre). Based on the net lot area of the site, 0.54 ha (1.24) ac.), 6-9 units are required in order to conform to the Official Plan.

#### Comment

The proposal includes dwelling units with one car garages. This raises a concern as most purchasers of these units will own two cars.

#### Response

Zoning By-law 0225-2007 requires parking to be provided at a rate of 2.0 spaces per unit for detached dwellings on a CEC – private road plus 0.25 visitor spaces per unit. Each unit provides a minimum of 2 parking spaces and additional visitor parking is provided. There is no requirement in the Zoning By-law for the parking spaces to be provided in a garage.

#### Comment

The surrounding area is characterized by much larger and deeper lots. The proposed POTLs are not in character with the surrounding area.

## Response

The appropriateness of the proposed POTL sizes and depths will be reviewed and analyzed by staff through the further processing of this application and comments will be provided in a future Supplementary Report.

#### Comment

The loss of mature trees is a concern.

#### Response

A revised arborist report was recently submitted and will be reviewed. Comments regarding tree preservation will be provided 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.

#### **MTO Land Requirements**

The Ministry of Transportation (MTO) has indicated that they are in the preliminary stages of considering the expansion (i.e. widening) of the QEW and, therefore their requirements for land dedication could change once further review and design takes place later in 2008.

#### **Orientation of Units on Major Streets**

Through the application review process, staff will require that it be demonstrated that the units abutting South Service Road be oriented and designed in such a way as to ensure that the front door is presented to the public street and the private amenity area associated with each unit is internal to the site.

#### **Tree Preservation**

The initial arborist report that was submitted with the application does not correctly identify the trees, their condition, placement and numbers in general. Further, the report does not include trees located within the municipal boulevard. A revised arborist report was recently submitted however, there was insufficient time for a complete review to be undertaken prior to the writing of this report. Through the further processing of this application, staff will require that tree preservation issues are dealt with appropriately.

#### **Easements and Utilities**

Through the processing of this application, staff will require that it be demonstrated that the standard common element condominium standards can be met, particularly with respect to the provision of a 3.0 m (9.84 ft.) utility corridor on-site, and preliminary details relating to fencing, buffering and utilities located in the municipal boulevard

#### **Noise Study**

The initial acoustical report submitted with the application does not adequately demonstrate that the noise levels are acceptable for each of the proposed POTLs, particularly the proposed outdoor amenity spaces. An addendum noise report was recently submitted, however, there was insufficient time for a complete review to be undertaken prior to the writing of this report. Through the application review process, staff will require that it be demonstrated that the noise levels are acceptable for the proposed residential units and their associated amenity areas.

#### **Conceptual Elevations**

The applicant has provided conceptual elevations for each of the proposed units. Through the processing of the application, staff will require that the elevations meet the intent of the Infill Housing Policies (S. 4.24.3.1) of the Mineola District. The proposed elevations facing the public street for Lots 5-7 (see Appendix I-6, page 3) should be revised to de-emphasize the height of the buildings and be designed as a composition of smaller architectural elements.

#### OTHER INFORMATION

#### **Development Requirements**

In conjunction with the proposed development, there are certain other engineering and conservation matters with respect to noise, and above and below ground servicing, which will require the applicant to enter into appropriate agreements with the City.

#### FINANCIAL IMPACT:

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

#### **CONCLUSION:**

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

#### **ATTACHMENTS**:

Appendix I-1 - Site History

Appendix I-2 - Aerial Photograph

Appendix I-3 - Excerpt of Mineola District Land Use Map

Appendix I-4 - Excerpt of Existing Land Use Map

Appendix I-5 - Concept Plan

Appendix I-6 - Conceptual Elevations
Appendix I-7 - Agency Comments
Appendix I-8 - School Accommodation
Appendix I-9 - General Context Map

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: Stacey Laughlin, Development Planner

#### **Site History**

- April 23, 2003 The City's Development Application Review Committee (DARC) reviewed a preliminary proposal for 12 detached condominium dwellings;
- May 5, 2003 The Region of Peel approved the Mississauga Plan Policies for the Mineola District, designating the subject lands "Residential Low Density II";
- June 11, 2003 DARC reviewed a revised preliminary proposal for 9 detached condominium dwellings and 2 freehold detached dwellings;
- July 23, 2003 DARC reviewed a revised preliminary proposal for 8 freehold detached dwellings with one shared driveway accessing Blanefield Road;
- June 30, 2005 Consent applications were submitted under files 'B' 124/05 –
   'B' 127/05 to develop the subject property for five detached dwellings with a shared driveway accessing Blanefield Road. The consent applications were withdrawn on February 2, 2007;
- November 2, 2005 DARC reviewed a preliminary proposal for 10 common element condominium detached dwellings and 1 freehold detached dwelling. Through the review of this preliminary proposal, the Ministry of Transportation (MTO) advised that they own the South Service Road right-of-way in this location, thus the minimum 14.00 m (45.93 ft.) development setback would be required from their property line. Through further discussions, it was agreed that MTO would require the 14.00 m (45.93 ft.) setback from the boundary between the QEW and South Service Road;
- March 21, 2007 The subject application was submitted. The original submission was for 10 condominium detached dwellings and 1 freehold detached dwelling.
- June 20, 2007 Zoning By-law 0225-2007 came into force except for those sites which have been appealed. As no appeals have been filed the provisions of the new By-law apply. The subject lands are zoned "R3-1" (Detached Dwellings);
- April 3, 2008 The applicant requested to revise the application to exclude the lands at
  the corner of Blanefield Road and South Service Road and to reduce the number of
  units proposed. The applicant will be seeking approval for a freehold detached
  dwelling generally in accordance with the existing zoning, "R3-1" (Detached
  Dwellings) through separate development applications for the lands now excluded
  from this application.



LEGEND:





DATE OF AERIAL PHOTO: 2007

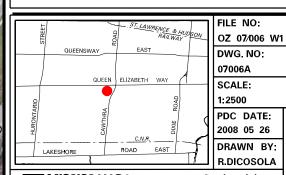


APPENDIX

**I**-2

#### SUBJECT:

#### **TUPELO INVESTMENTS LIMITED**



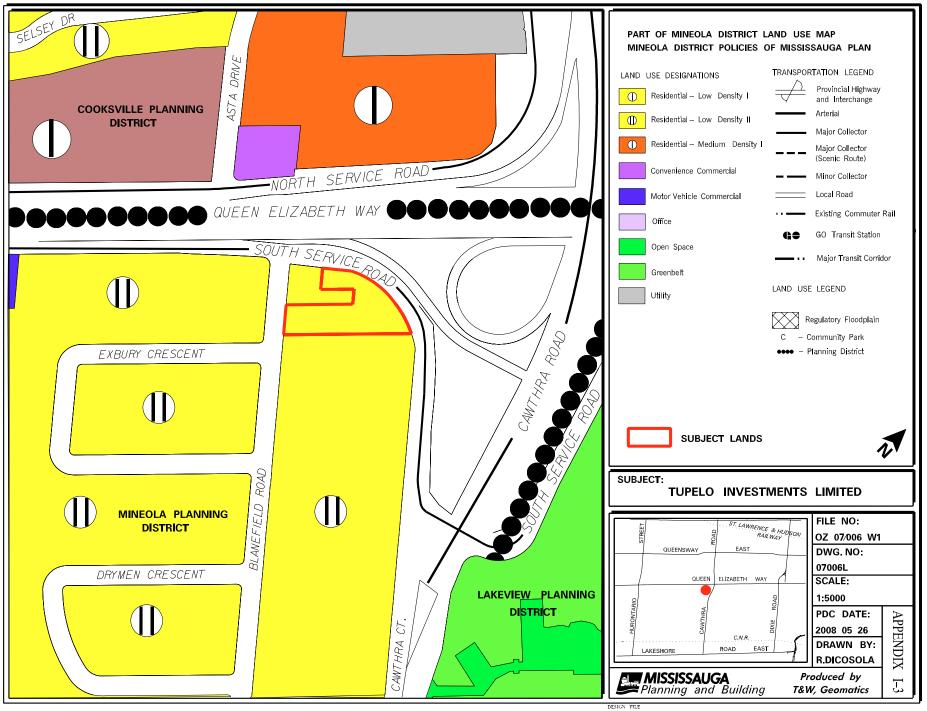
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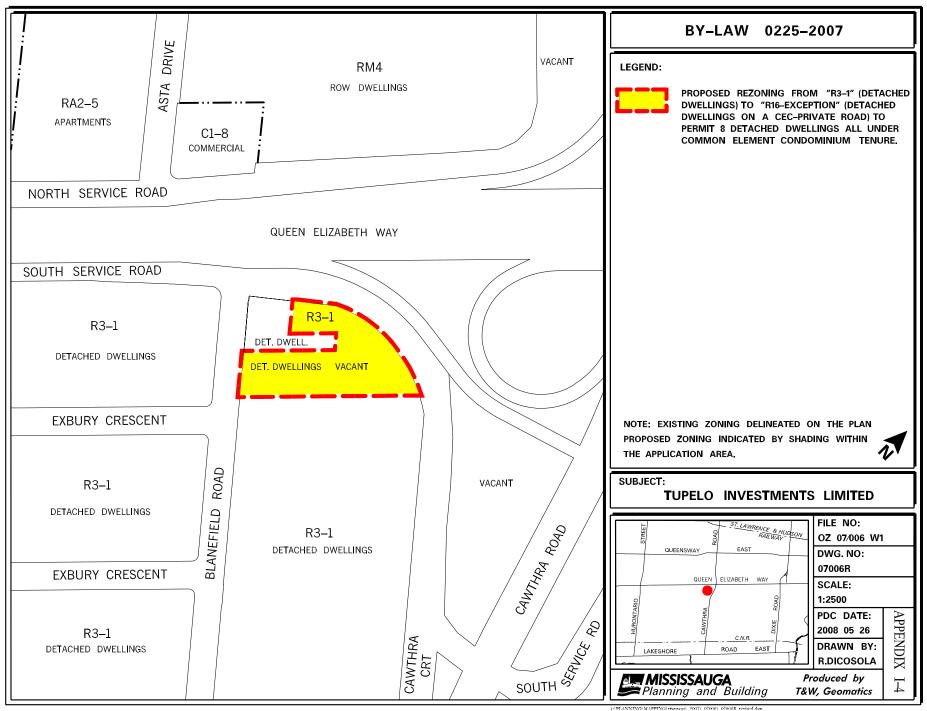
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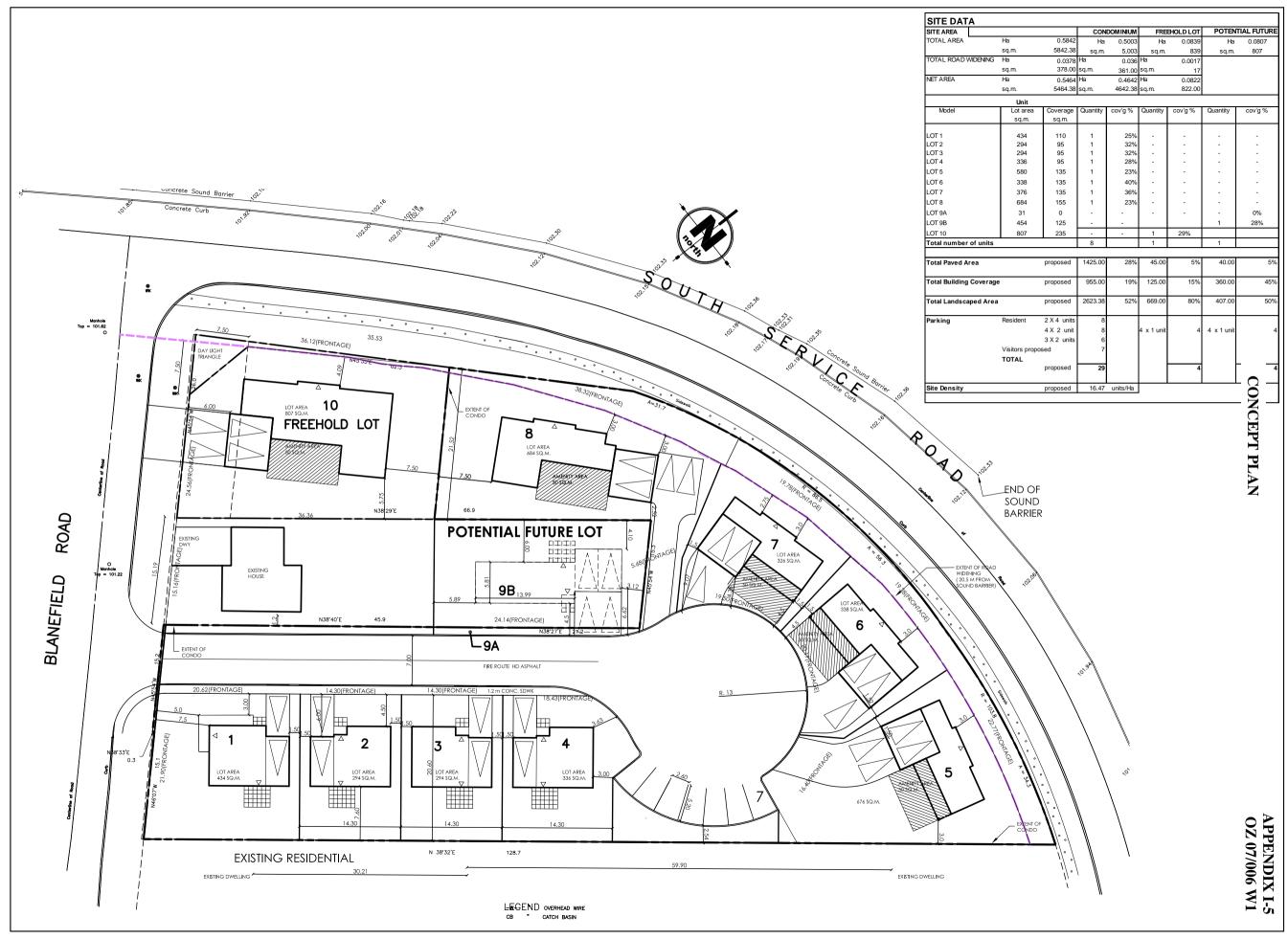
PDC DATE: 2008 05 26

MISSISSAUGA
Planning and Building

Produced by T&W, Geomatics



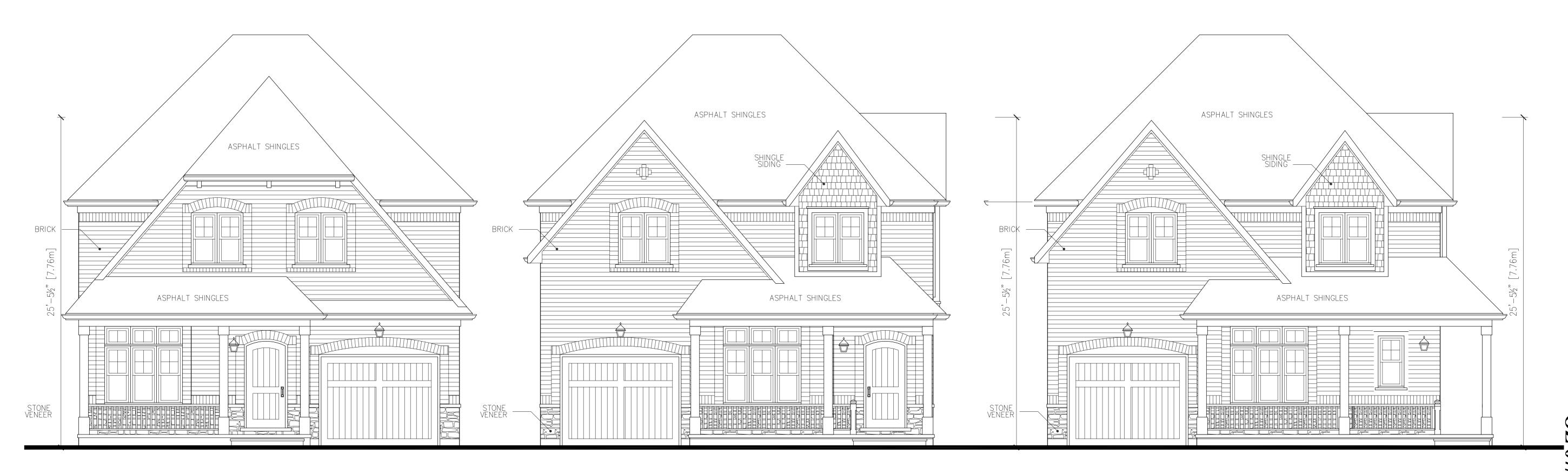






Elevation 1 Elevation 2

TYPICAL FRONT ELEVATIONS (lots 1 to 4)

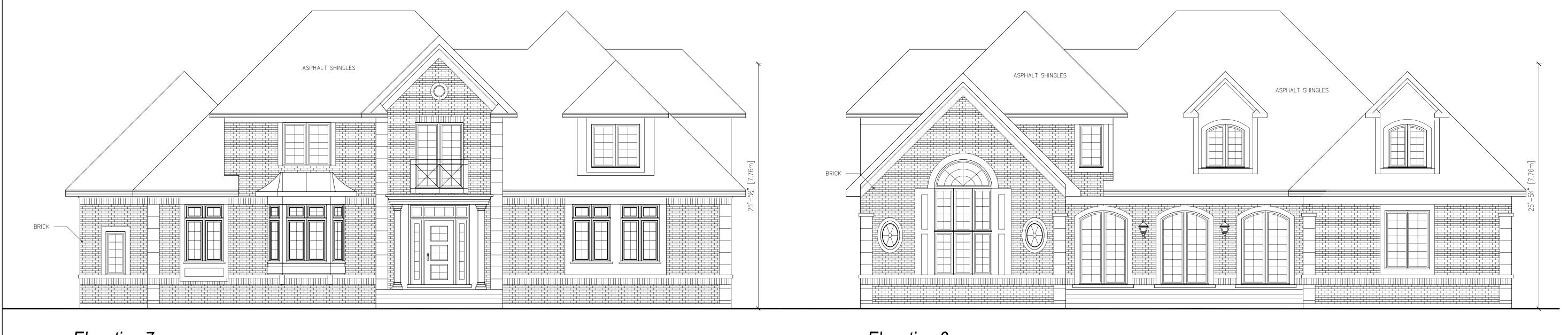


Elevation 4 Elevation 5

TYPICAL FRONT ELEVATIONS (lot 1 to 4)

Elevation 6 with Wrap around porch

Elevation 3

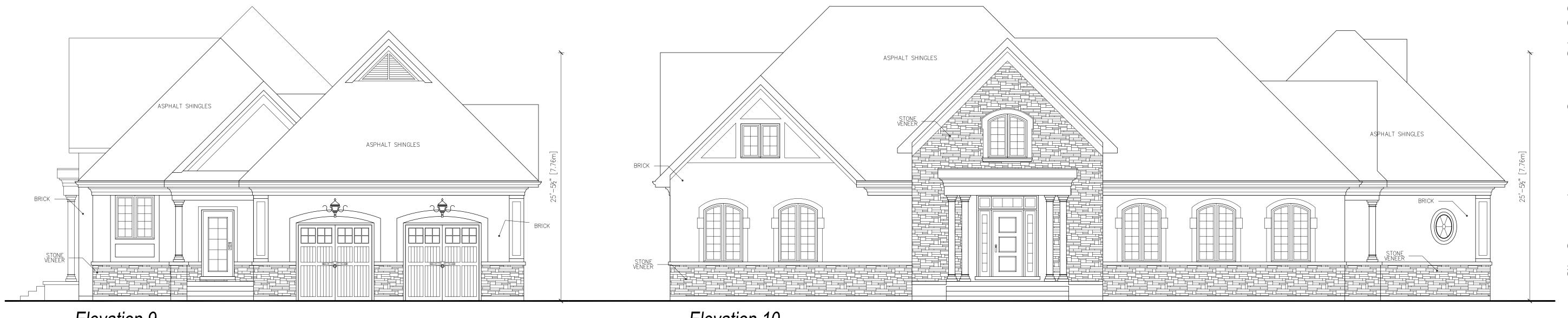


Elevation 7

# TYPICAL FRONT ELEVATION (LOT 8)

Elevation 8

# TYPICAL REAR ELEVATION (LOT 8)



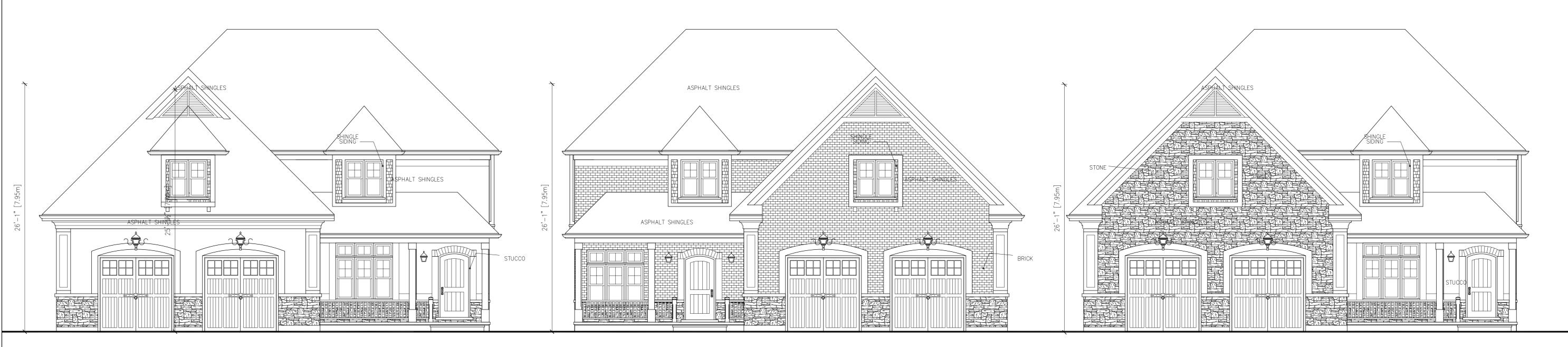
Elevation 9
TYPICAL END ELEVATION (LOT 10)

Elevation 10
TYPICAL FRONT ELEVATION (LOT 10)



Elevation 11

TYPICAL REAR ELEVATION (LOT 10)



Elevation 12 Elevation 13 Elevation 14
TYPICAL INTERNAL ELEVATION (LOT 5TO 7)



Elevation 15
Elevation 16

TYPICAL EXTERNAL ELEVATION (LOT 5TO 7)

# **Agency Comments**

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

Agency / Comment Date	Comment
Ministry of Transportation (April 23, 2008)	The Ministry has no objection, in principle, to the subject Rezoning application. The following comments are provided for information purposes:
	- As per the previous agreement, MTO's building and setback limit of 14.00 m (45.93 ft.) will continue to be measured from the north property limit of the South Service Road. The MTO's building and setback limit includes, but is not limited to, all above and below ground structures, frontage roads, fire routes, stormwater management facilities and servicing/utilities;
	- The applicant should be advised that the Ministry may require a portion of the subject lands to accommodate future expansion of the QEW. Timing of the QEW expansion will depend on completion/approval of an Environmental Assessment and preliminary design study;
	- Any proposed noise attenuation features (e.g. earth berms) must be contained within the subject lands, and setback a minimum of 0.30 m (1.00 ft.) from the Ministry's property limits. Noise attenuation features are the sole responsibility of the City and/or the applicant. The Ministry strongly recommends that a clause be inserted in the Purchase Agreement making all purchasers fully aware of the proximity of the QEW from an aesthetic and noise perspective;
	- No encroachment onto the Ministry's right-of-way will be permitted;
	- No direct access to the QEW permitted. All access will be via the QEW/Cawthra Road Interchange;
	- MTO permits will be required prior to commencement of grading/servicing/internal road construction, as well as for individual building lots, within 45.00 m (147.64 ft.) of the Ministry's property limits and within a 395.00 m (1,295.93 ft.) radius of the centrepoint of the intersection of QEW/Cawthra Road. Sign permits will also be required for any visible signing within 400 m (1,312.34 ft.) from the QEW/South Service Road property limits.

# **Tupelo Investments Limited**

Agency / Comment Date	Comment
Region of Peel (April 14, 2008)	Comments from the Region indicated that all outstanding Regional requirements have been satisfied and they have no objection to the approval of this application and require no further conditions of approval.
	<ul> <li>The following general comments are provided for information purposes:</li> <li>A 150 mm (6 in.) diameter watermain and 250 mm (10 in.) diameter sanitary sewer exist on Blanefield Road;</li> <li>Through the Draft Plan of Condominium stage, the applicant will be required to enter into a Condominium Water Servicing Agreement with the Region of Peel;</li> <li>Curbside waste collection will be provided;</li> <li>The subject land is not located within the vicinity of a landfill site; and,</li> <li>Private easements may be required for the potential future lots shown on the concept plan.</li> <li>Regional staff have reviewed the submitted Functional</li> </ul>
	Servicing Report and find it to be satisfactory. The following comments regarding the report are provided for information purposes only:
	<ul> <li>Section 3.1 Water Distribution - note that Regional forces do not install works within the right-of-way. This work is to be installed by the applicant, at their expense, as per plans submitted and reviewed by the Region of Peel;</li> <li>A "T" will need to be cut in rather than using a tapping sleeve for the proposed watermain connection to Blanefield Road. Tapping is permitted when the line being tapped is at least one nominal size smaller than the existing mainline;</li> <li>The existing watermain located on South Service Road is 300 mm (12 in.) rather than 400 mm (16 in.) as stated in</li> </ul>
Dufferin-Peel Catholic	the report.  The Peel District School Board and the Dufferin-Peel Catholic
District School Board (April 8, 2008) and Peel District School Board (April 4, 2008)	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 this development application.

# **Tupelo Investments Limited**

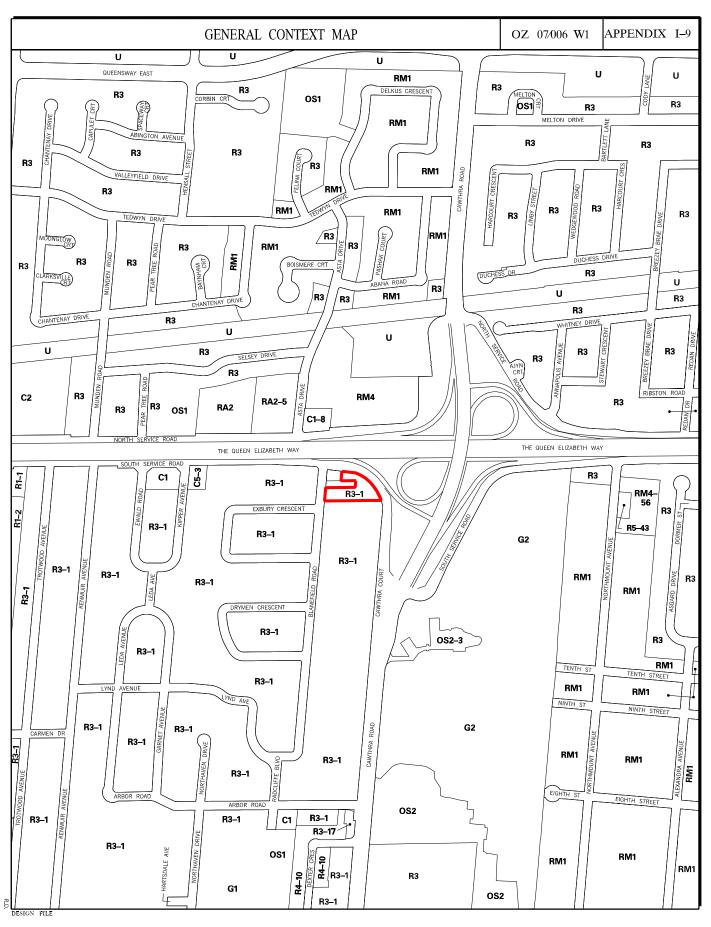
Agency / Comment Date	Comment
	In addition, if approved, both School Boards require that warning clauses with respect to temporary school accommodation and transportation arrangements be included within the Development and/or Servicing Agreement.
	Further, the Dufferin-Peel Catholic District School Board advises that St. Dominic Elementary School is currently in the Dixie Shorefront Accommodation Review Area for school closures. The Dufferin-Peel Catholic District School Board's Long Term Accommodation Plan requires that 720.5 pupil places be reduced in this area. An Accommodation Review Committee has been established to consider the possible options for closure and consolidation of schools in the review area.
City Community Services Department – Planning, Development and Business Services Division (April 3, 2008)	This Department notes that Dellwood Park (P#005), is located approximately 800 m (2,625 ft.) from the site. This 5.8 ha (14.3 ac.) community park contains a playground, multi-use pad, and pathway system.  Should this application be approved, a cash contribution for street tree planting will be required prior to by-law enactment. Further, prior to the issuance of building permits, cash-in-lieu of parkland for park or other public recreational purposes is required pursuant to Section 42 of the <i>Planning Act</i> (R.S.O. 1990, c.P. 13, as amended) and in accordance with City's Policies and By-laws.
City Community Services Department – Fire and Emergency Services Division	This Department notes that the proposal is located within the response area of Fire Station 102. At present, the average travel time to emergencies in this area of the City is 3.0 minutes based on normal traffic and weather conditions.
(April 3, 2008)	Flow test data from the existing water supply system indicates the potential for an adequate supply of water for fire protection purposes.
City Transportation and Works Department (April 22, 2008)	This Department indicated that the applicant has revised the development proposal as requested by Transportation and Works to include the gratuitous dedication of sufficient lands to provide for a 20.00 m (65.62 ft.) right of way for South Service Road, in accordance with Mississauga Plan. This widening is also necessary to improve the substandard sight/stopping distance at this location.

Agency / Comment Date	Comment	
	A Functional Servicing and Stormwater Management Report dated March, 2007 by Masongsong Engineering Limited, a Noise Feasibility Study dated March 16, 2007 by J.E. Coulter Assoc. Ltd. and an addendum dated April 1, 2008 have also been received and are under review by staff. Due to the proximity of the Queen Elizabeth Way, central air conditioning and special building measures are proposed to mitigate noise for all units and the outdoor amenity areas are proposed to be shielded by the dwellings themselves augmented by additional noise barriers. Additional details will be provided for the future supplementary report.	
	Prior to the Supplementary Report proceeding, written approval will be required from the MTO confirming their satisfaction with the limits of the proposed development and the assumptions used to establish the widening proposed for the South Service Road. The MTO has indicated that "the developer should be made aware that consideration for QEW expansion is taking place and the Ministry requirements could change once further review and design takes place later this year".	
Other City Departments and External Agencies	The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner:  - Bell Canada - Canada Post Corporation - Conseil Scolaire de District Catholique Centre-Sud	
	The following City Departments and external agencies were circulated the applications but provided no comments:  - Realty Services - French Catholic District School Board - Conseil Scolaire de District Centre-Sud-Ouest - Rogers Cable - Enbridge Gas Distribution Inc Trans-Northern Pipelines Inc.	

# **Tupelo Investments Limited**

# **School Accommodation**

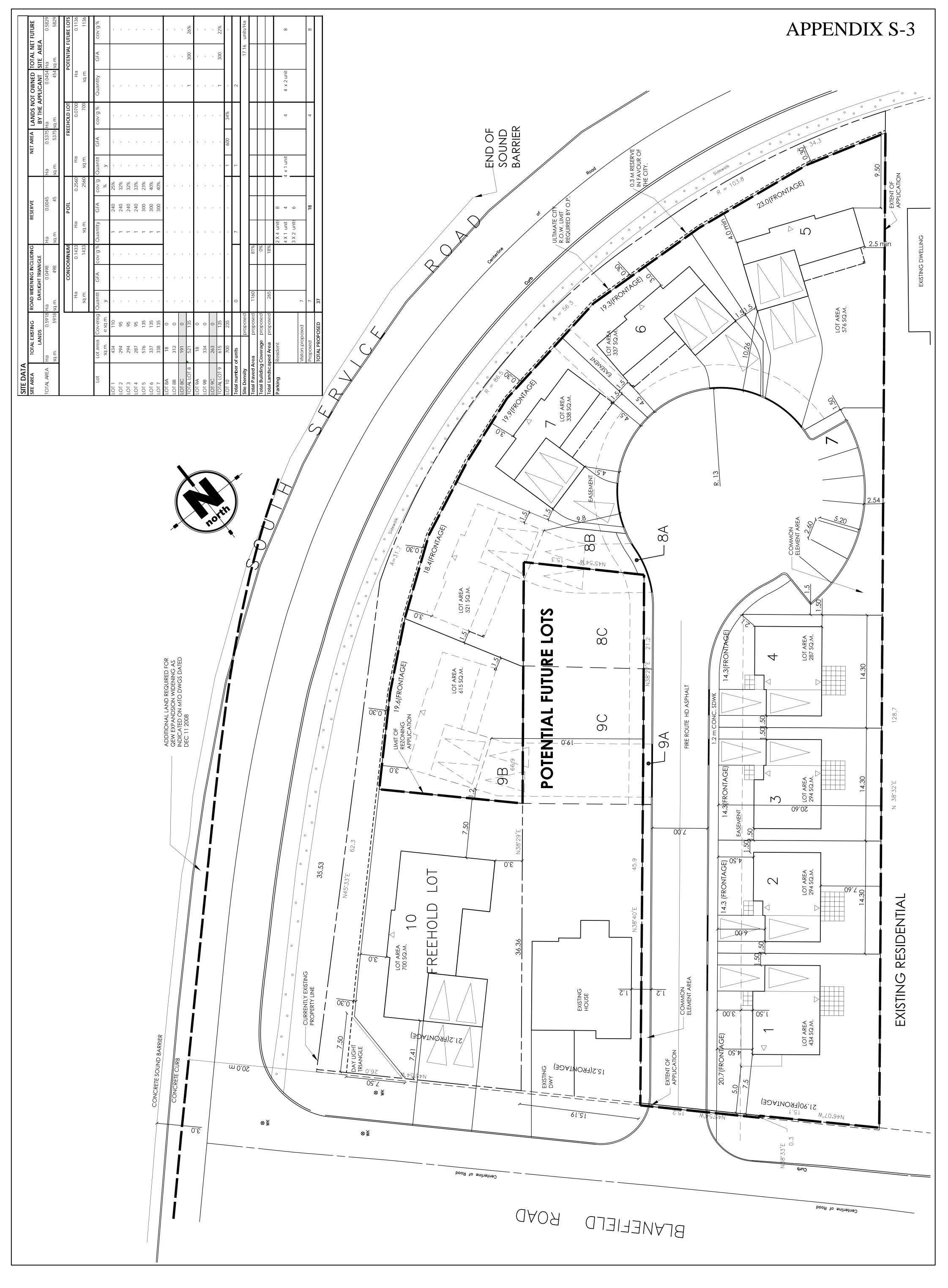
The Peel District School Board	The Dufferin-Peel Catholic District School Board
Student Yield:	Student Yield:
2 Kindergarten to Grade 5 1 Grade 6 to Grade 8 2 Grade 9 to Grade 12/OAC	3 Junior Kindergarten to Grade 8 1 Grade 9 to Grade 12/OAC
School Accommodation:	School Accommodation:
Lynwood Public School	St. Dominic Elementary School
Enrolment: 242 Capacity: 500	Enrolment: 253 Capacity: 259
Portables: 0	Portables: 6
Cawthra Park Secondary School	St. Paul Secondary School
Enrolment: 1,340	Enrolment: 826
Capacity: 1,044	Capacity: 807
* Note: Capacity reflects the Ministry of Education rated capacity, not the Board rated capacity, resulting in the requirement of portables.	Portables: 0



# **Tupelo Investments Limited**

#### Recommendation PDC-0041-2008

- "1. That the Report dated May 6, 2008, from the Commissioner of Planning and Building regarding the application to change the Zoning from "R3-1" (Detached Dwellings) to "R16 Exception" (Detached Dwellings on CEC private road) in By-law 0225-2007, to permit eight detached dwellings all under common element condominium tenure under file OZ 07/006 W1, Tupelo Investments Limited, 1629 Blanefield Road, be received for information.
- 2. That the e-mail from Anthony Iantosca dated May 26, 2008 stating his objection to the above noted development application be received."





ELEVATIONS (lot 1 to 4)

Elevation 5

with Wrap around porch Elevation 6



