



Corporate Report

Clerk's Files

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

PDC MAR 22 2010

DATE: March 2, 2010

TO: Chair and Members of Planning and Development Committee
Meeting Date: March 22, 2010

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Rezoning and Draft Plan of Subdivision Applications**
To permit thirteen detached dwellings
Part of Lot 10, Concession 2, W.H.S.
Block 269 and Part of Block 270, 43M-1246 and
Block 37, 43M-1290
Northeast corner of Second Line West and
Silverthorn Mill Avenue
Owner: 2189034 Ontario Inc. and 2142301 Ontario Inc.,
formerly 2096553 Ontario Inc. (Hush Inc.)
Applicant: John D. Rogers and Associates Inc.
Bill 51

Supplementary Report **Ward 11**

RECOMMENDATION: That the Report dated March 2, 2010, from the Commissioner of Planning and Building recommending approval of the applications under Files OZ 08/012 W11 and T-M08005 W11, 2189034 Ontario Inc. and 2142301 Ontario Inc., formerly 2096553 Ontario Inc. (Hush Inc.), Part of Lot 10, Concession 2, W.H.S., Block 270, 43M-1246, and Block 37, 43M-1290, northeast corner of Second Line West and Silverthorn Mill Avenue, 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 change the Zoning from "R2-10" (Detached Dwellings - Typical Lots) to "R2-Exception" (Detached Dwellings - Typical Lots) and "R16-Exception" (Detached Dwellings on a CEC - Private Road) to permit 6 detached lots fronting onto a public road and 7 detached lots fronting onto a private common element condominium road in accordance with the proposed zoning standards and recommendations described in this report, including an exterior side yard of 7.5 m (24.6 ft.), be approved subject to the following conditions:
 - (a) That the draft plan of subdivision be approved.
 - (b) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development.
 - (c) 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.
 - (d) That prior to registration of the draft plan of subdivision, the applicant must enter into an Aircraft Noise Warning Agreement with the Greater Toronto Authority and the City of Mississauga.
 - (e) That prior to the passage of the implementing Zoning By-law the applicant shall have acquired ownership of

the necessary parcels of land required to complete the land assembly for the draft plan of subdivision comprised of Block 269, 43M-1246 and Part of Block 270, 43M-1246, being Part 1 on 43R-33115 and 43M-1290, and completed the acquisition and purchase for market value from the City of a portion of the Second Line West and Silverthorn Mill Avenue rights-of-way comprising Parts 1, 2 and 3, 43R-33121 which are also required to complete the land assembly for the draft plan of subdivision, all to the satisfaction of the City Solicitor.

3. That the Plan of Subdivision under file T-M08005 W11, be recommended for approval subject to the conditions contained in Appendix S-5, attached to the report dated March 2, 2010, from the Commissioner of Planning and Building.
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 36 months of the Council decision.
5. Subject to the conditions of draft plan approval, that the Corporation of the City of Mississauga hereby authorizes the applicant to include within the draft approved plan of subdivision the necessary parcels of land required to complete the land assembly for the draft plan of subdivision as provided in Recommendation 2(e) above.

BACKGROUND:

A public meeting was held by the Planning and Development Committee on February 17, 2009, 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-0022-2009 which was subsequently adopted by Council and is attached as Appendix S-2.

After the public meeting, in November, 2009, the applicant requested additional exceptions to the proposed zoning standards as outlined in the Zoning Section. On February 3, 2010, a revised draft plan and concept plan were submitted, which accounted for minor line changes along the northerly property line to reflect a land arrangement along Campbell Settler Road with the adjoining property owner (Block 270, see Community Issues section and Appendix S-3 and S-4).

COMMENTS:

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

COMMUNITY ISSUES

At the Public Meeting, the following concerns were raised by residents in attendance:

Comment

There was a concern regarding an increase in density and traffic, and a question regarding the adequacy of infrastructure to support the development.

Response

The applications as proposed are in keeping with the density prescribed for the area (see Planning Comments section for additional information). The proposed traffic generated by the subject development is not expected to have a significant impact on the existing road network. Existing regional and municipal infrastructure in the area is sufficient to accommodate the proposed development.

Comment

Will there be construction disturbances?

Response

During the construction process, there will be some minor disturbances associated with the construction of new homes. All work will need to be undertaken in accordance with City noise and other related by-laws.

Comment

A portion of the lands that form part of the development proposal (Block 270) are owned by the land owner to the immediate north (Mr. Peter Savvidis), and should not have been included in their application submission.

Response

Block 270, a remnant parcel located on the eastern portion of the subject lands from a previously registered plan of subdivision, was being held by the City in trust pending development of the abutting lands. Representatives from Hush Homes Inc. have met with Mr. Savvidis and the two parties have made arrangements for the division and ownership of the block.

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

Comments updated on February 8, 2010, state the applicant has provided a satisfactory revised Functional Servicing Report which confirms the feasibility of the proposed development from a storm servicing perspective.

The necessary parcels of land required for the developer to complete the land assembly for the proposed plan of subdivision are owned by the City. Block 269 and part of Block 270 on 43M-1246 being Part 1 on 43R-33115 are each owned by the City pursuant to Schedule B of the Servicing Agreement between the City and the original developer of 43M-1246 being Tarmac

Canada Inc. (now Carillion Canada Inc.) as temporary development control parcels. Schedule B of the Servicing Agreement requires the City to transfer these lands back to Carillion Canada Inc. whenever the development of these remnant blocks may be facilitated in conjunction with the development of the adjacent lands.

The City Solicitor has been advised by the applicant's solicitor that arrangements are in place for the acquisition by the applicant of these temporary development control parcels from Carillion Canada Inc. immediately following the transfer of these parcels from the City to Carillion Canada Inc. under Schedule B of the Servicing Agreement.

It was further confirmed that the applicant is currently working with the City's Realty Services Section to purchase from the City for market value the required portion of the existing Second Line West and Silverthorn Mill Avenue rights-of-way, being Parts 1, 2 and 3 on 43R-33121. These land acquisitions are essential to the developer's proposal and are included as requirements within the Conditions of Draft Plan Approval. For the purposes of facilitating the issuance of draft plan approval of the proposed plan of subdivision, the City is authorizing the inclusion of these outstanding lands within the draft plan prior to their acquisition by the developer.

The Conditions of Draft Plan Approval require that these land acquisitions must be completed prior to enactment of the required zoning by-law and plan of subdivision registration.

PLANNING COMMENTS

Official Plan

As noted in Appendix S-1, the subject lands are designated as "Residential - Low Density I". The application is in conformity with the land use designation, including the prescribed density and minimum lot frontages, and no official plan amendment is proposed. In regards to the Village Character Area and other

policies of the Meadowvale Village District (see page 4 of Appendix S-1), the applications conform as follows:

- The proposal is compatible with the character of the Meadowvale Heritage Conservation District to the north, and the surrounding neighbourhood. Through the site plan approval process (see separate section below for further detail), staff will ensure the homes are sited to maintain the village character of the District;
- Alignments of existing roads are not affected. A tree protection plan has been provided which identifies only trees on the perimeter of the development as being preserved;
- Through the draft plan of subdivision approval process and review of the detailed development engineering plans, matters such as grading, drainage, and servicing will be technically evaluated and determined. Where feasible, existing grades will be maintained and consideration given to innovative drainage techniques. Opportunities will be explored for using rolled curbs and gutters, fewer sidewalks where practical, and decorative street elements, as encouraged within the *Meadowvale Village Urban Design Guidelines*.
- The proposal provides for appropriate development of the rear yards of those lots that abut Second Line West, in that they are being incorporated in the subdivision and will front onto the proposed Street A;
- Building heights will not exceed two and a half storeys. The application is proposing to reduce the exterior setbacks along Silverthorn Mill Avenue from 7.5 m (24.6 ft.) down to 6.0 m (19.6 ft.) in certain locations, which is not consistent with the policies requiring generous setbacks. Staff are recommending that building setbacks along the development perimeter remain consistent with the current

zoning in effect for the surrounding lands (see below Zoning section for comment).

Zoning

The revised zoning provisions to those proposed in Appendix I-9 of S-1 are as follows:

Proposed "R2-Exception" (Detached Dwellings)		
Standard	Proposed	R2 General
Minimum Lot Area - Corner Lot	730 m ² (7,857 sq. ft.)	810 m ² (8,719 sq. ft.)
Minimum Exterior - Side Yard	7 m (22.9 ft.)	7.5 m (24.6 ft.)

Proposed "R16-Exception" (Detached Dwellings, CEC)		
Standard	Proposed	R16 General
Minimum Lot Area - Corner Lot	750 m ² (8,073 sq. ft.)	720 m ² (7,750 sq. ft.)
Minimum Setback of front garage to CEC Street	6.0 (19.7 ft.)	7.5 m (24.6 ft.)

The proposed "R2-Exception" and "R16-Exception" zones are appropriate to accommodate the proposed development, except for the request for reductions in the exterior side yard setbacks, which would apply to several lots adjacent to Silverthorn Mill Avenue and Campbell Settler Court (Lots 1-4, 10 and 11). The existing "R2-10" zoning which applies to the lands requires a minimum exterior side yard setback of 7.5 m (24.6 ft.). The proposed zoning would reduce this to 7.0 m (22.9 ft.) for the "R2-Exception" lots and 6.0 m (19.6 ft.) for the "R16-Exception" lots. It is recommended that the exterior setback of 7.5 m (24.6 ft.) be maintained for the following reasons:

- The Village Character Area Policies speak to small houses on lots with generous side yard setbacks, to maintain the rural village character of the nearby Meadowvale Heritage

Conservation District, and to ensure a sense of spaciousness around the Village;

- The proposal, which forms the southerly limit of the Village Character Area, is considered a gateway into the Village. All of the zoning applying to the surrounding developments within the Village Character Area conforms to the setback requirement. The lots are sufficiently large enough to accommodate a good sized home. Reducing the setback will result in the homes being closer to the street, and thus may appear larger and more imposing and hence not in character with the neighbourhood;
- An increased area will provide for improved landscape initiatives, which will add to the streetscape of the area.

Draft Plan of Subdivision

The proposed plan of subdivision was reviewed by City Departments and agencies and is acceptable subject to certain conditions as outlined in Appendix S-5. Lots 4 through 10 will form part of a future Common Element Condominium. Since the lands are the subject of a Draft Plan of Subdivision under File T-M08005 W11, development will be subject to the completion of services and registration of the plan. Matters such as road and gutter construction, sidewalk design and location, and broader drainage and grading matters will be reviewed through the development engineering process.

Urban Design Guidelines/Site Plan Approval

As the lands are located within the Village Character Area, all development will be subject to site plan control. In this regard, standards for matters that include landscaping, building height and massing, dwelling design and composition, and spatial relationship with adjacent buildings should generally meet the requirements of the *Meadowvale Village Urban Design Guidelines*. In addition, projecting garages are not desired.

In support of the application, preliminary building elevations have been provided (see Appendix S-1, I-6). Elements of the design presented may not be in keeping with the above referenced *Guidelines*. This matter, in conjunction with the detailed review of each individual lot plan to ensure conformity with Official Plan and *Guidelines*, will be addressed through the site plan approval process. Other matters that will be addressed through this process include lot grading and drainage, and tree preservation.

Archaeological Study

In support of the subject application, an archaeological study has been filed with the Culture Division, who advise they have no archaeological concerns with the development. The final clearance, however, is pending from the Ontario Ministry of Tourism and Culture.

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. Since the applicant's modifications to the Draft Plan of Subdivision and Concept Plan are minor, it is recommended that no further public meetings be held regarding the proposed changes.

The proposed rezoning and draft plan of subdivision are acceptable from a planning standpoint and should be approved for the following reasons:

1. The proposal for 6 detached lots fronting onto a public road and 7 detached lots fronting onto a private common element condominium road is compatible with the surrounding land uses, and are consistent with the provisions of the Official Plan that speak to the lands' location within the Meadowvale Village Character Area.
2. The proposed "R2-Exception" (Detached Dwellings – Typical Lots) and "R16-Exception" (Detached Dwellings on a CEC - Private Road) zones are appropriate to accommodate the requested uses and meet the overall intent, goals and objectives of Mississauga Plan, provided the exterior side yards setbacks remain as 7.5 m (24.6 ft.).

ATTACHMENTS:

Appendix S-1 – Information Report
Appendix S-2 – Recommendation PDC-0022-2009
Appendix S-3 – Revised Concept Plan
Appendix S-4 – Revised Draft Plan of Subdivision
Appendix S-5 – Conditions of Draft Approval

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 08/012 W11
T-M08005 W11

PDC FEB 17 2009

DATE: January 27, 2009

TO: Chair and Members of Planning and Development Committee
Meeting Date: February 17, 2009

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Rezoning and Draft Plan of Subdivision Applications
To permit detached dwellings
Part of Lot 10, Concession 2, W.H.S.
Northeast corner of Second Line West and Silverthorn Mill
Avenue
Owner: 2096553 Ontario Inc. (Hush Homes)
Applicant: John D. Rogers & Associates Inc.
Bill 51

Public Meeting **Ward 11**

RECOMMENDATION: That the Report dated January 27, 2009, from the Commissioner of Planning and Building regarding the applications to change the Zoning of By-law 225-2007 from "R2-10" (Detached Dwellings-Typical Lots) to "R2-Exception" (Detached Dwellings-Typical Lots) and "R16-Exception" (Detached Dwellings on a CEC-Private Road), in addition to a draft plan of subdivision application, to permit 6 detached lots fronting onto a public road and 7 detached lots fronting onto a private common element condominium road, under files OZ 08/012 W11 and T-M08005 W11, 2096553 Ontario Inc., Part of Lot 10, Concession 2, W.H.S., be received for information.

BACKGROUND:

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

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

COMMENTS:

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

Development Proposal	
Applications submitted:	August 21, 2008 (deemed complete October 9, 2008)
Building Height:	2 storeys (10.7 metres/35 ft.)
Lot Coverage:	30% per individual lot
Net Density:	13.9 units/ha 5.6 units/acre
Number of units:	13 units (6 freehold and 7 common element condominium)
Anticipated Population:	44 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:	28 spaces (2.0 resident spaces per unit for freehold, 2.0 resident spaces and 0.25 visitor spaces per condominium)
Parking Provided:	33 spaces (2.0 per freehold dwelling, 3.0 spaces per condominium, no visitor spaces)
Supporting Documents:	Functional Servicing Report Environmental Noise Study Preliminary Tree Inventory/Preservation Plan Planning Justification Report

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

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

Green Development Initiatives

There have been no green development initiatives identified by the applicant at this time.

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

Neighbourhood Context

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

The surrounding land uses are described as follows:

North: Detached dwellings, fronting Second Line West and
Campbell Settler Court

East: Detached dwellings, fronting Silverthorn Mill Avenue

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

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

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

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

The applications are in conformity with the land use designation and no official plan amendments are proposed. There are other policies in the Official Plan which also are applicable in the review of these applications including:

Meadowvale Village District Policies:

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

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

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

Residential Policies:

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

Urban Design Policies:

Section 3.18.2.4

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

Section 3.18.2.6

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

Existing Zoning

"R2-10" (Detached Dwelling-Typical Lots), which permits detached dwellings on lots with a minimum frontage of 18 m (60 ft.) and a minimum lot area of 695 m² (7.481 sq. ft.), on a public road. Exceptions include the following:

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

Proposed Zoning By-law Amendment

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

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

COMMUNITY ISSUES

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

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-6 and school accommodation information is contained in Appendix I-7. Based on the comments received and the applicable Mississauga Plan policies the following matters will have to be addressed:

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

OTHER INFORMATION

Development Requirements

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

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: Once all 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 Meadowvale Village District Land Use Map
- Appendix I-4 - Excerpt of Existing Land Use Map
- Appendix I-5 - Draft Plan of Subdivision/Concept Plan
- Appendix I-6 - Building Elevations
- Appendix I-7 - Agency Comments
- Appendix I-8 - School Accommodation
- Appendix I-9 - Detailed Zoning Provisions
- Appendix I-10- General Context Map

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Rob Hughes, Development Planner

2096553 Ontario Inc.

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

Site History

- September 1997 & June 1998 - Plans 43M-1246 and 43M-1290 are registered, resulting in the creation of Silverthorn Mills Avenue and Campbell Settler Court, which form the southern and eastern boundaries for the subject lands.
- May 5, 2003 - The Region of Peel approved the Mississauga Plan Policies for the Meadowvale Village District, designating the subject lands as "Residential - Low Density I".
- June 20, 2007 – Zoning By-law 0225-2007 came into force except for those sites which have been appealed. As no appeals have been filed the provisions of the new By-law apply. The subject lands are zoned "R2-10" (Detached Dwellings-Typical Lots).



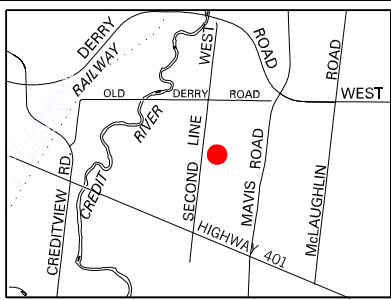
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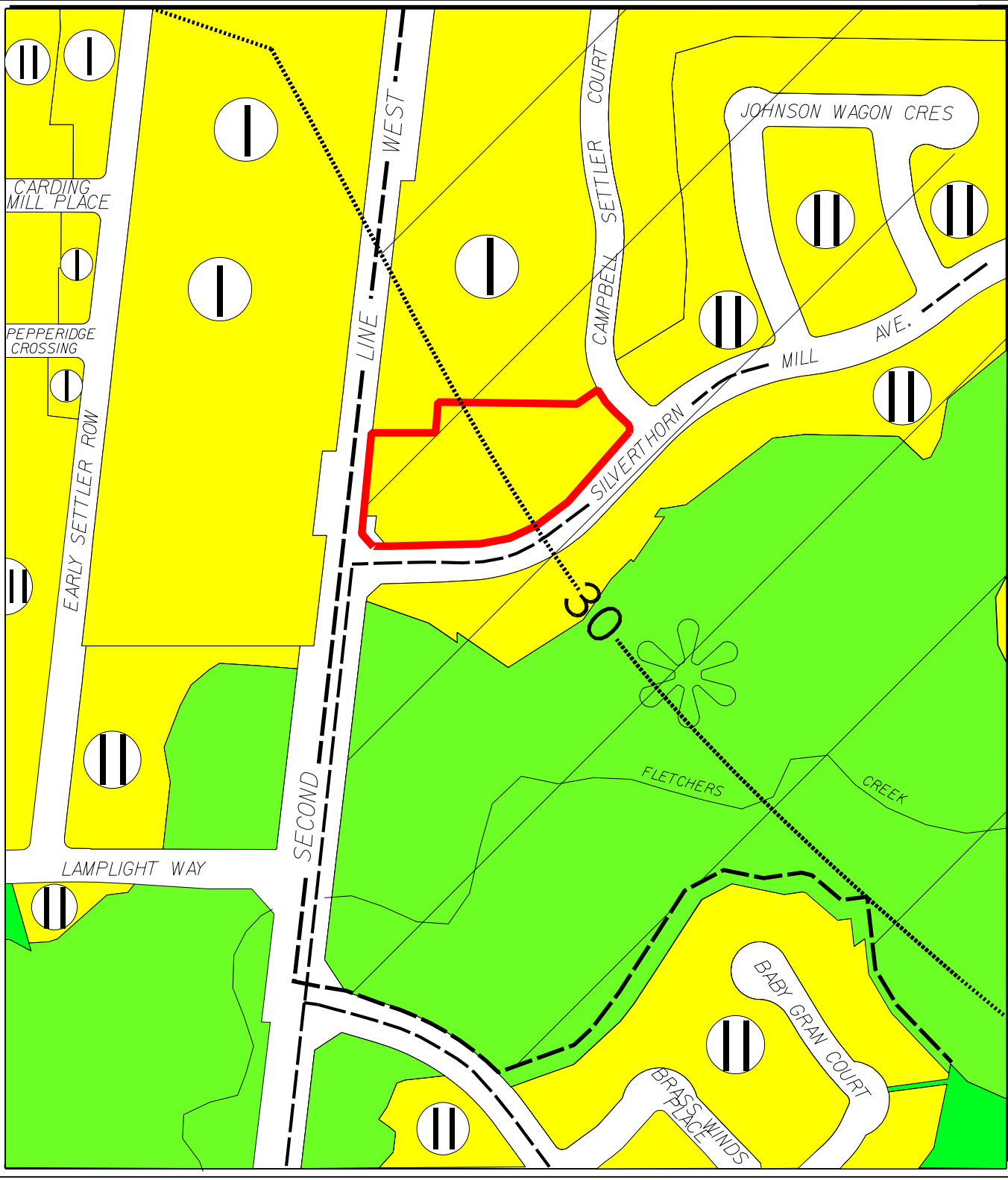
 **SUBJECT LANDS**

DATE OF AERIAL PHOTO: APRIL 2008



SUBJECT:
JOHN D. ROGERS & ASSOCIATES INC.

	FILE NO: OZ 08012 W11 T-M08005 W11
	DWG. NO: 08012A
	SCALE: NTS
	PDC DATE: 20090217
DRAWN BY: R. DICOSOLA B. KRUGER	



PART OF MEADOWVALE VILLAGE DISTRICT LAND USE MAP MEADOWVALE VILLAGE DISTRICT POLICIES OF MISSISSAUGA PLAN

LAND USE DESIGNATIONS

- ① Residential – Low Density I
- ② Residential – Low Density II
- ③ Residential – Medium Density I
- General Commercial
- Convenience Commercial
- Motor Vehicle Commercial
- Business Employment
- Public Open Space ⑥
- Greenbelt
- Parkway Belt West
- Utility

TRANSPORTATION LEGEND

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

LAND USE LEGEND

- Heritage Conservation District
- LBPIA Operating Area Boundary – See Aircraft Noise Policies (Note: In Meadowvale Village this includes all lands to the East.)
- Lands Exempt From LBPIA Operating Area
- Lands experiencing noise levels of greater than 35 NEF ⑨

NOTE:
ANY PART OF THE ROAD NETWORK SHOWN OUTSIDE THE CITY BOUNDARIES IS SHOWN FOR INFORMATION PURPOSES ONLY.

Note:
The 1996 Noise Exposure Projection (NEP/2000 Noise Exposure Forecast (NEF) Composite Noise Contours are shown for information purposes only and are not part of the District Land Use Map. These contours will change from time to time as new information becomes available.
For accurate reference the composite NEP/NEF map produced by Transport Canada at a scale of 1:50 000 should be consulted.

Note:
Numbers, such as ①, indicated on the Land Use Maps are related to mapping changes outlined in various Appendices of Mississauga Plan Proposed Amendments.

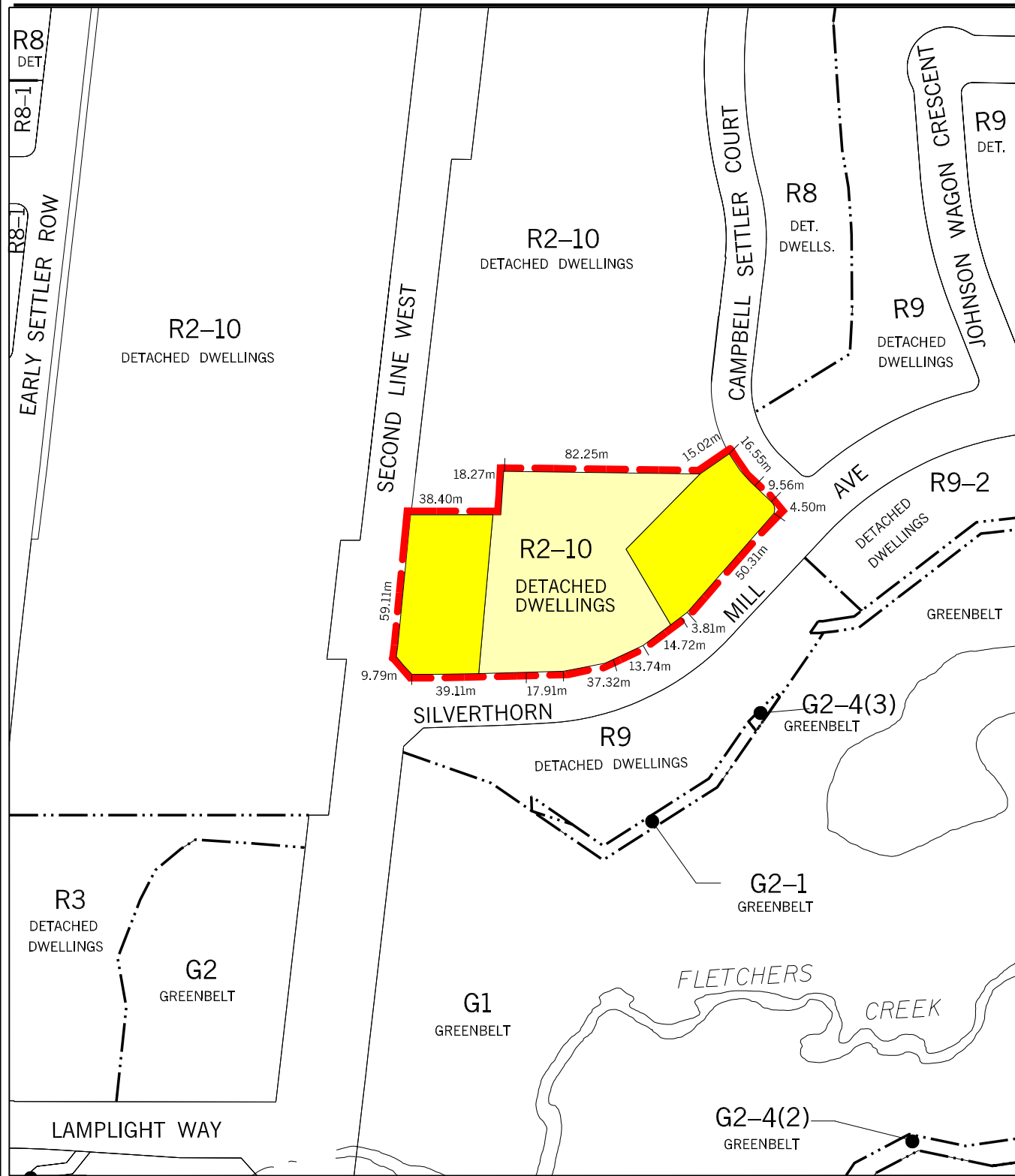
Special Site Areas (See Special Site Policies)

Appealed to the Ontario Municipal Board

SUBJECT LANDS

SUBJECT:
JOHN D. ROGERS & ASSOCIATES INC.

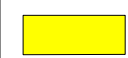
	FILE NO: OZ 08012 W11 T-M08005 W11
	DWG. NO: 08012R
	SCALE: NTS
	PDC DATE: 2009/02/17
DRAWN BY: R. DICOSOLA B. KRUGER	
MISSISSAUGA Planning and Building Produced by T&W, Geomatics	
APPENDIX I-3	



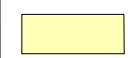
LEGEND:



SUBJECT LANDS



PROPOSED REZONING FROM 'R2-10' (DETACHED DWELLINGS - TYPICAL LOTS) TO 'R2-EXCEPTION' (DETACHED DWELLINGS - TYPICAL LOTS), AS PART OF A DRAFT PLAN OF SUBDIVISION, TO PERMIT 6 DETACHED LOTS FRONTING ON TO A PUBLIC ROAD.



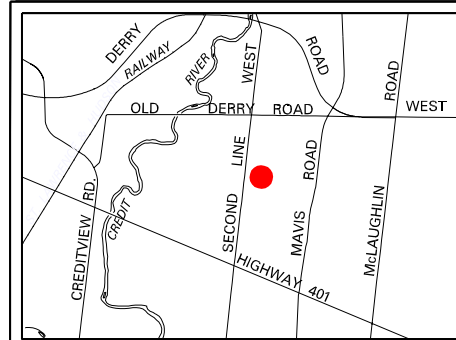
PROPOSED REZONING FROM 'R2-10' (DETACHED DWELLINGS - TYPICAL LOTS) TO 'R-16 - EXCEPTION' (DETACHED DWELLINGS ON A CEC - PRIVATE ROAD), AS PART OF A DRAFT PLAN OF SUBDIVISION, TO PERMIT 7 DETACHED LOTS FRONTING ON TO A COMMON ELEMENT CONDOMINIUM ROAD.

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



SUBJECT:

JOHN D. ROGERS & ASSOCIATES INC.



**FILE NO:
OZ 08012 W11
T-M08005 W11**

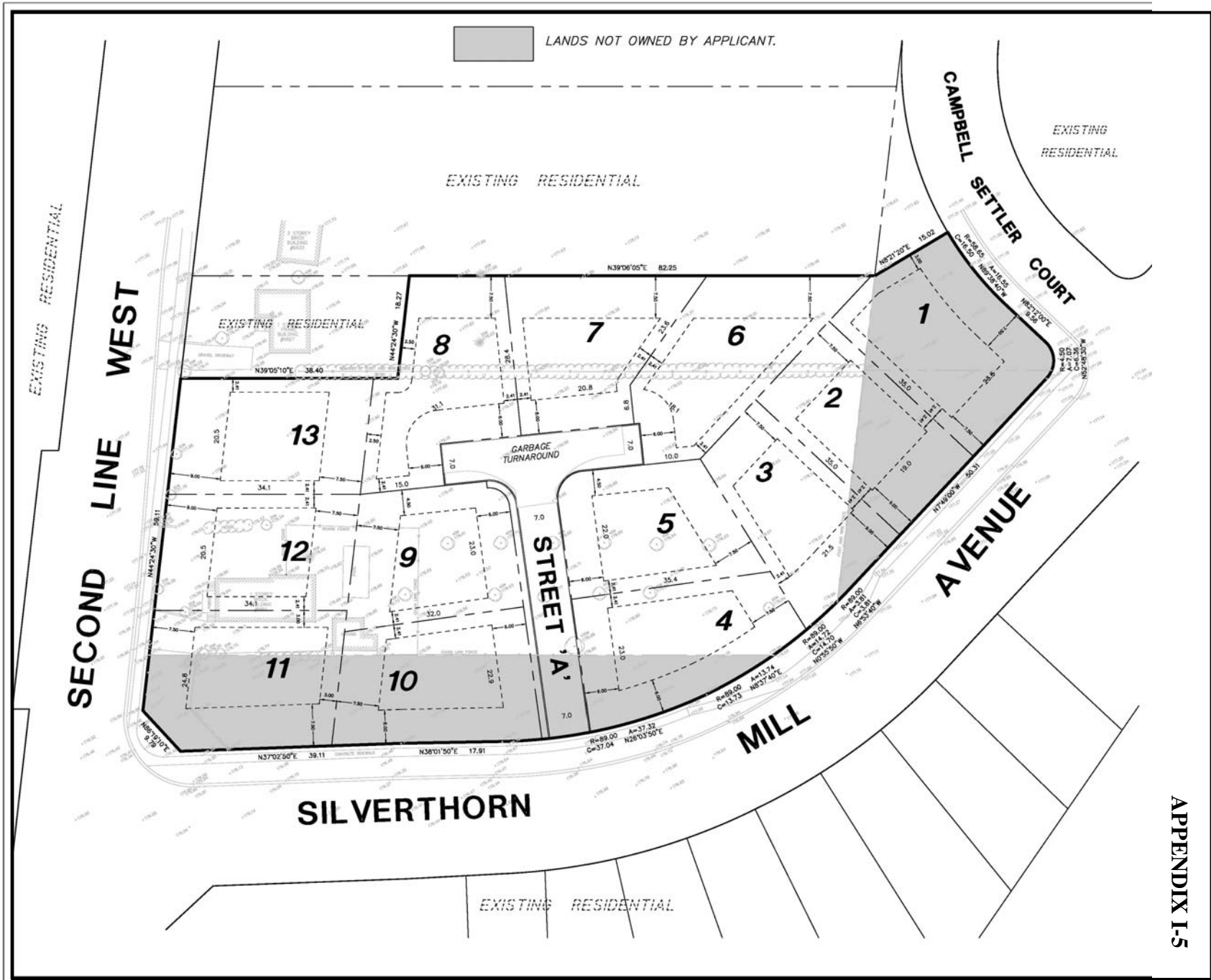
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08012R**

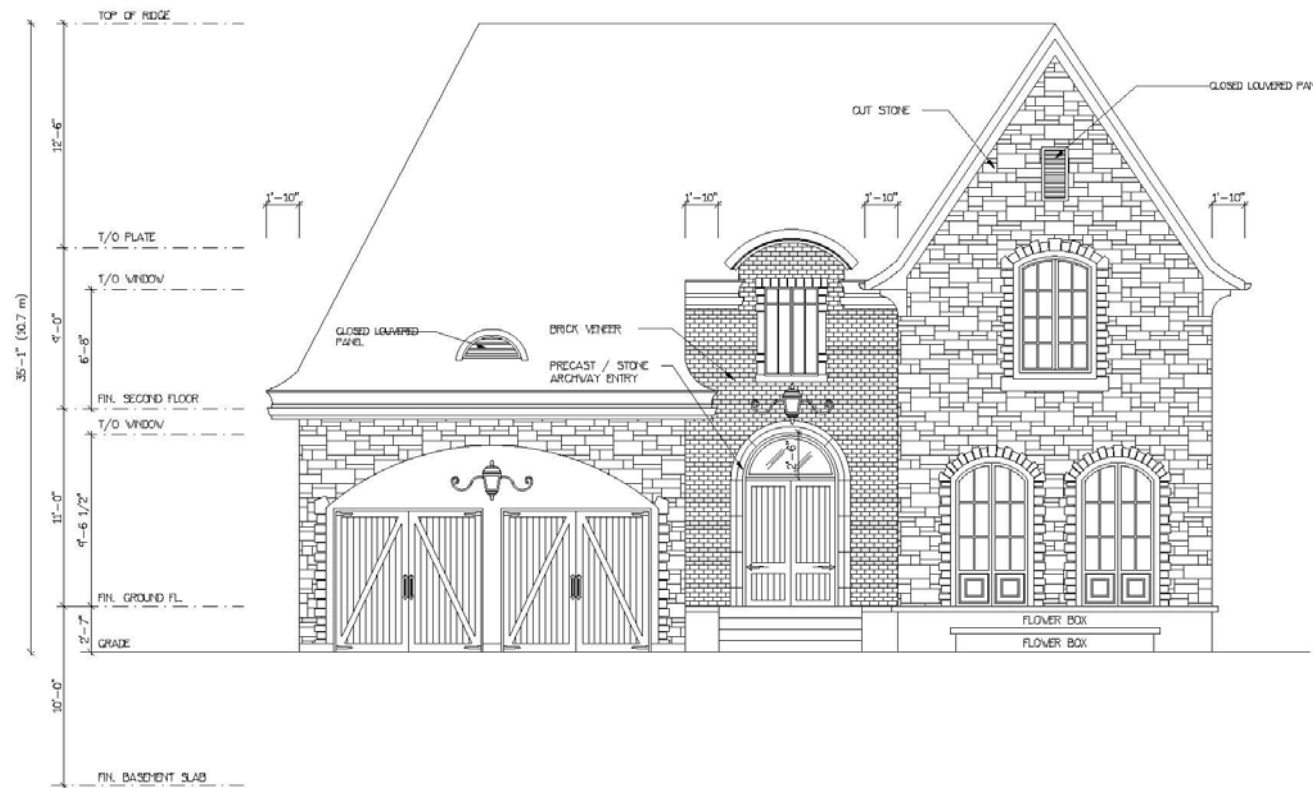
**SCALE:
1:3000**

**PDC DATE:
2009/02/17**

**DRAWN BY:
R.DICOSOLA
B. KRUGER**

APPENDIX I-4





front elevation



REAR elevation

2096553 Ontario Inc.

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

Agency Comments

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

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

2096553 Ontario Inc.

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

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

2096553 Ontario Inc.

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

Agency / Comment Date	Comment
	<p>Prior to the preparation of the Supplementary Report, the applicant is to submit an Archaeological Assessment, to be reviewed and accepted by this Department.</p> <p>Should this application be approved, payment for street trees and trail signage will be required. Further, prior to the issuance of building permits, cash-in-lieu of parkland dedication for park or other public recreational purposes is required pursuant to Section 42 of the <i>Planning Act</i> (R.S.O. 1990, c.P. 13, as amended) and in accordance with City Policies and By-laws.</p>
City Community Services Department – Fire and Emergency Services Division (December 23, 2008)	This proposal is located within the response area of Fire Station 121. At present average travel times to emergencies in this area of the City is 1.7 minutes based on normal traffic and weather conditions. Flow test data from the existing water supply system indicates the potential for an adequate supply of water for fire protection purposes. The private road is to be designed in conformance with bylaw 1036-81, and designated as a fire route.
City Transportation and Works Department (January, 2009)	Prior to the preparation of the Supplementary Report, the applicant will be required to provide written confirmation that satisfactory arrangements have been made to acquire the necessary parcels from the developer of Plans 43M-1246 and 43M-1290. Since the application also contemplates the acquisition of a portion of the existing Second Line West Right-of-Way, the applicant is to make the appropriate application to pursue this land acquisition. In addition, the applicant will be required to submit an updated Functional Servicing Report. Additional comments will be provided pending the review of the above-noted items.
Enersource Hydro Mississauga (October 30, 2008)	This agency has no objection to the rezoning of these lands. Initial supply could be made available subject to timing, prior use and coordination with adjacent lands. The draft plan of subdivision shall be subject to certain conditions.
Other City Departments and External Agencies	The following City Departments and external agencies offered no objection to these applications provided that all technical

2096553 Ontario Inc.**Files: OZ 08/012 W11 and T-M08005 W11**

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

2096553 Ontario Inc.

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

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"> 3 Kindergarten to Grade 6 1 Grade 7 to Grade 8 1 Grade 9 to Grade 12/OAC School Accommodation: <ul style="list-style-type: none"> Meadowvale Village Public School <ul style="list-style-type: none"> Enrolment: 645 Capacity: 699 Portables: 0 David Leeder Middle School <ul style="list-style-type: none"> Enrolment: 811 Capacity: 868 Portables: 0 Mississauga Secondary School <ul style="list-style-type: none"> Enrolment: 1,335 Capacity: 1,551 Portables: 0 	<ul style="list-style-type: none"> Student Yield: <ul style="list-style-type: none"> 2 Junior Kindergarten to Grade 8 1 Grade 9 to Grade 12/OAC School Accommodation: <ul style="list-style-type: none"> St. Julia Elementary School <ul style="list-style-type: none"> Enrolment: 603 Capacity: 609 Portables: 0 St. Marcellinus Secondary School <ul style="list-style-type: none"> Enrolment: 1,307 Capacity: 1,521 Portables: 0

2096553 Ontario Inc.

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

Detailed Zoning Provisions

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

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

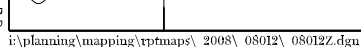
"R16-Exception" (Detached Dwellings on a CEC-Private Road), to permit detached dwellings, on a CEC private road. As part of the rezoning, the applicant is proposing that the following exceptions to the standard zoning be applied:

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

2096553 Ontario Inc.

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

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



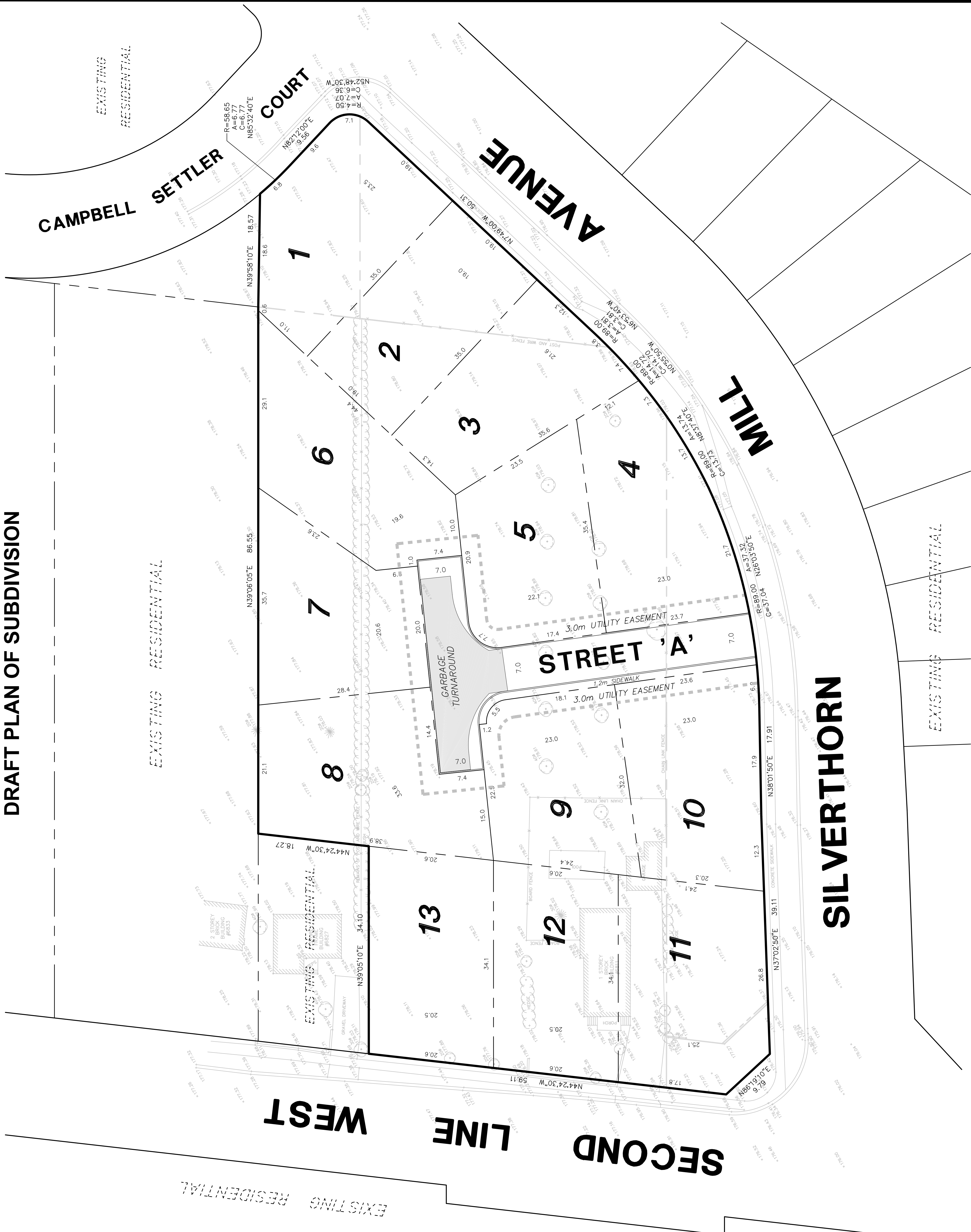
**2189034 Ontario Inc. and 2142301 Ontario Inc.,
formerly 2096533 Ontario Inc. (Hush Inc.)**

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

Recommendation PDC-0022-2009

"That the Report dated January 27, 2009, from the Commissioner of Planning and Building regarding the applications to change the Zoning of By-law 225-2007 from "R2-10" (Detached Dwellings – Typical Lots) to "R2-Exception" (Detached Dwellings – Typical Lots) and "R16-Exception" (Detached Dwellings on a CEC – Private Road), in addition to a draft plan of subdivision application, to permit 6 detached lots fronting onto a public road and 7 detached lots fronting onto a private common element condominium road, under files OZ 08/012 W11 and T-M08005 W11, 2096553 Ontario Inc., Part of Lot 10, Concession 2, W.H.S., be received for information."

DRAFT PLAN OF SUBDIVISION





**SCHEDULE A
CONDITIONS OF APPROVAL**

**NOTICE OF DECISION
TO APPROVE:**

TBD

FILE:

21T-M08005 W11

SUBJECT:

**Draft Plan of Subdivision
Part of Lot 10, Concession 2, W.H.S.
Block 269 and Part of Block 270, 43M-1246
Block 37, 43M-1290
Northeast corner of Second Line West and Silverthorn
Mill Avenue
City of Mississauga
2189034 Ontario Inc. (Hush Inc.) and 2142301 Ontario
Inc. (Hush Inc.)**

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

Approval of the draft plan of subdivision granted under Section 51 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, will be valid until approval is either withdrawn or the plan is registered. Approval may be withdrawn by the Commissioner, Planning and Building Department if approval of the final plan has not been given three (3) years after the date of approval of the draft plan.

NOTE: City is "The Corporation of the City of Mississauga"
Region is "The Regional Municipality of Peel"

The City has not required either the dedication of land for park or other public recreational purposes, or a payment of money in lieu of such conveyance as a condition of subdivision draft approval authorized by Section 51.1 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended. The City will require payment of cash-in-lieu for park or other public recreational purposes as a condition of development for each lot and block, prior to the issuance of building permits pursuant to Section 42(6) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, and in accordance with the City's policies and by-laws.

- 1.0 Approval of the draft plan applies to the plan dated May 12, 2008 (revised on August 15, 2008 and further revised on November 20, 2009).
- 2.0 That the owner agree, in writing, to satisfy all the requirements, financial and otherwise of the City and the Region.

- 3.0 That the applicant/owner shall enter into Servicing, Development and any other necessary agreements, satisfactory to the City, Region or any other appropriate authority, prior to ANY development within the plan. These agreements may deal with matters including, but not limited to, the following: engineering matters such as municipal services, road widenings, construction and reconstruction, signals, grading, fencing, noise mitigation, and warning clauses; financial issues, such as cash contributions, levies (development charges), land dedications or reserves, securities, or letters of credit; planning matters such as residential reserve blocks, buffer blocks, site development plan and landscape plan approvals and conservation. THE DETAILS OF THESE REQUIREMENTS ARE CONTAINED IN COMMENTS IN RESPONSE TO THE CIRCULATION OF THE PLAN FROM AUTHORITIES, AGENCIES, AND DEPARTMENTS OF THE CITY AND REGION WHICH HAVE BEEN FORWARDED TO THE APPLICANT OR HIS CONSULTANTS, AND WHICH COMMENTS FORM PART OF THESE CONDITIONS.
- 4.0 All processing and administrative fees shall be paid prior to the registration of the plan. Such fees will be charged at prevailing rates of approved City and Regional Policies and By-laws on the day of payment.
- 5.0 The applicant/owner shall agree to convey/dedicate, gratuitously, any required road or highway widenings, 0.3 m (1 ft.) reserves, walkways, sight triangles, buffer blocks and utility or drainage easements to the satisfaction of the City, Region or other authority.
- 6.0 The applicant/owner shall provide all outstanding reports, plans or studies required by agency and departmental comments.
- 7.0 That a Zoning By-law for the development of these lands shall have been passed under Section 34 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, and be in full force and effect prior to registration of the plan.
- 8.0 That prior to the enactment of the Zoning By-law referred to in Condition 7.0 above, the developer shall have acquired ownership of the necessary parcels of land required to complete the land assembly for the draft plan of subdivision as provided in Condition 15.0 below.
- 9.0 The proposed streets shall be named to the satisfaction of the City and the Region. In this regard, a list of street names shall be submitted to the City Transportation and Works Department as soon as possible after draft plan approval has been received and prior to any servicing submissions. The owner is advised to refer to the Region of Peel Street Names Index to avoid proposing street names which conflict with the approved or existing street names on the basis of duplication, spelling, pronunciation, and similar sounding.
- 9.0 Prior to final approval, the Engineer is required to submit, to the satisfaction of the Region, all engineering drawings in Micro-Station format as set out in the latest version of the Region of Peel "Development Procedure Manual".

- 10.0 Prior to final approval, the Engineer is required to submit, to the satisfaction of the Region, all engineering drawings in Micro-Station format as set out in the latest version of the Region of Peel "Development Procedure Manual".
- 11.0 Prior to final approval or preservicing, the developer will be required to monitor wells, subject to the homeowner's permission, within the zone of influence, and to submit results to the satisfaction of the Region.
- 12.0 Prior to preservicing and/or execution of the Servicing Agreement, the developer shall name to the satisfaction of the City Transportation and Works Department the telecommunications provider.
- 13.0 Prior to execution of the Servicing Agreement, the developer must submit in writing, evidence to the Commissioner of the City Transportation and Works Department, that satisfactory arrangements have been made with the telecommunications provider, Cable TV and Hydro for the installation of their plant in a common trench, within the prescribed location on the road allowance.
- 14.0 That prior to signing of the final plan, the Commissioner of Planning and Building is to be advised that all of the above noted conditions have been carried out to the satisfaction of the appropriate agencies and the City.
- 15.0 That prior to final approval, the developer shall have acquired ownership of the necessary parcels of land required to complete the land assembly for the draft plan of subdivision comprised of Block 269 on 43M-1246 and Part of Block 270 on 43M-1246 being Part 1 on 43R-33115, and completed the acquisition and purchase for market value from the City of a portion of the Second line West and Silverthorn Mill Avenue rights-of-way comprising Parts 1, 2 and 3 on 43R-33121 which are also required to complete the land assembly for the draft plan of subdivision, all to the satisfaction of the City Solicitor.

THE REQUIREMENTS OF THE CITY WILL BE EFFECTIVE FOR THIRTY-SIX (36) MONTHS FROM THE DATE THE CONDITIONS ARE APPROVED BY THE COMMISSIONER, PLANNING AND BUILDING DEPARTMENT. AFTER THIS DATE REVISED CONDITIONS WILL BE REQUIRED. NOTWITHSTANDING THE SERVICING REQUIREMENTS MENTIONED IN SCHEDULE A, CONDITIONS OF APPROVAL, THE STANDARDS IN EFFECT AT THE TIME OF REGISTRATION OF THE PLAN WILL APPLY.