Clerk's Files



Originator's Files OZ 12/002 W7

# **PDC** APR 2 2013

DATE:	March 12, 2013
TO:	Chair and Members of Planning and Development Committee Meeting Date: April 2, 2013
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 2167 Gordon Drive East side of Gordon Drive, south of Queensway West Owner: Raffi Konialian Applicant: Weston Consulting Group Inc. Bill 51
	Public Meeting   Ward 7
<b>RECOMMENDATION:</b>	That the Report dated March 12, 2013, from the Commissioner of Planning and Building regarding the application to change the Zoning from "R1-7" (Detached Dwellings - Typical Lots) to "R16 - Exception" (Detached Dwellings on a CEC Private Road) and "G1" (Greenbelt - Natural Hazards), to permit eight (8) detached dwellings on a CEC Private Road under file OZ 12/002 W7, Raffi Konialian, 2167 Gordon Drive, east side of Gordon Drive, south of Queensway West, be received for information.

REPORT HIGHLIGHTS:	<ul> <li>Community concerns identified to date relate to maintaining the existing character of the area, protecting the Residential Woodland, and setting a precedent for future development within the Gordon Woods area.</li> <li>Prior to the preparation of a Supplementary Report, matters to be addressed include outstanding department and agency comments, resolution of tree preservation concerns, urban design considerations and the submission and review of supporting information and studies.</li> </ul>

**BACKGROUND:** The application has been circulated for technical comments and a community open house has been held.

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

<b>COMMENTS:</b>	Details of the proposal are as follows:
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Development Proposal	
Application	
submitted:	February 13, 2012
Application	
Complete:	March 8, 2012
Application	
Revised:	November 30, 2012
Existing Gross	295 m <sup>2</sup> (3,175.5 sq. ft.) – existing
Floor Area:	dwelling to be demolished
Height:	2 storeys
Lot Coverage:	35%
Net Density:	10.2 units/ha
	4.13 units/acre
Number of	8 (1 additional detached dwelling
units:	proposed, but not included in the subject
	application, to be built fronting Gordon
	Drive in accordance with the existing
	"R1-7" zone )

Development Proposal	
Gross Floor	450 to 500 $\text{m}^2$ (4,844 to 5,382 sq. ft.) per
Area:	unit
Anticipated	27*
Population:	*Average household sizes for all units
	(by type) for the year 2011 (city average)
	based on the 2008 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)
	Total: 18 spaces
Parking	4.0 resident spaces per unit (32 spaces)
Provided:	0.37 visitor spaces per unit (3 spaces)
	Total: 35 spaces
Supporting	Functional Servicing Report and
Documents:	Stormwater Management Brief
	Phase 1 Environmental Site Assessment,
	Noise Control Study
	Scoped Environmental Impact Study
	Meander Belt Width Assessment: Mary
	Fix Creek
	Preliminary Tree Preservation Report
	Green Features List
	Parcel Registry Documentation
	Planning Justification Report

Site Characteristics	
Frontage:	21.5 m (70.5 ft.)
Depth:	216.56 m (710.5 ft.)
Net Lot Area:	0.784 ha (1.937 ac.) – Lot 1 is excluded
Existing Use:	Detached Dwelling

### **Green Development Initiatives**

No green initiatives beyond current planning and building code requirements have been identified.

Additional information is provided in Appendices I-1 to I-11.

#### **Neighbourhood Context**

The subject property is located in the Gordon Woods community, a low density neighbourhood characterized by detached dwellings on large well-treed lots with large front, rear and side yard setbacks and a rural road profile. Mary Fix Creek transects the property near the eastern terminus of the subject lands. The natural hazard associated with the Creek is to be conveyed to the City and preserved in a natural state. Although unauthorized tree removal was undertaken on the table land portion of the subject land by the previous owner, the site remains well-treed. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

North:	Detached dwellings on large, well-treed lots
East:	Trillium Health Centre
South:	Detached dwellings on large, well-treed lots
West:	Beyond Gordon Drive are detached dwellings on large,
	well-treed lots

### Mississauga Official Plan Designation and Policies for the Cooksville Neighbourhood Character Area (November 14, 2012)

Mississauga Official Plan (2011) was adopted by City Council on September 29, 2010 and partially approved by the Region of Peel on September 22, 2011. The Plan was appealed in its entirety, however, on November 14, 2012, the Ontario Municipal Board issued a Notice of Decision approving Mississauga Official Plan, as modified, save and except for certain appeals which have no effect on the subject application.

The subject lands are located within the **Cooksville Neighbourhood Character Area** and are designated **''Residential Low Density I''** and **''Greenbelt''**.

"**Residential Low Density I**" permits detached, semi-detached and duplex dwellings. Notwithstanding the general provisions for

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the "Residential Low Density I" designation, only detached dwellings are permitted by the **Cooksville Neighbourhood Character Area** Policies as they pertain to the subject lands.

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"Greenbelt" lands are generally associated with natural hazards or areas where development is restricted.

The lands are also part of **Special Site 4** within the **Cooksville Neighbourhood Character Area** Policies, which outline additional policies directing development to generally maintain and enhance the existing established character of the area. These and other policies in Mississauga Official Plan which are applicable in the review of this application have been outlined in Appendix I-9.

An Amendment to the Official Plan is not proposed in support of the proposed development.

#### **Existing Zoning**

"R1-7" (Detached Dwellings - Typical Lots), which permits detached dwellings with a minimum lot area of 1 140 m<sup>2</sup> (12,271 sq. ft.), a minimum lot frontage of 30.0 m (98.4 ft.) and a maximum lot coverage of 25%. "G1" (Greenbelt – Natural Hazards), which permits flood control, stormwater and erosion management and Natural Heritage Features and Areas conservation.

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

"R16 – Exception" (Detached Dwellings on a CEC Private Road), to permit eight (8) detached dwellings on a CEC private road. Specific zone provision are contained within Appendix I-10. "G1" (Greenbelt – Natural Hazards) to reflect the limits of development associated with Mary Fix Creek.

#### **COMMUNITY ISSUES**

A community open house was held by Ward 7 Councillor, Nando Iannicca, on June 7, 2012. Issues raised by the Community are summarized below and will be addressed in the Supplementary Report:

- maintaining the existing character of the area;
- protecting the Residential Woodland (tree removal/ preservation); and
- setting a precedent for future development within the Gordon Woods area.

A further community meeting has been scheduled for March 20, 2013.

#### **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 Official Plan policies, the following matters will have to be addressed prior to the preparation of a Supplementary Report:

#### **Tree Preservation and Community Character**

The applicant has been encouraged to make adjustments to the concept plans to reduce the size/ building foot print of the dwellings, thereby increasing interior side, rear and exterior side yards to be more consistent with the existing established character of the area and allow more tree preservation opportunities. In undertaking these revisions, the applicant has been encouraged to look at strategic opportunities for the preservation of significant and/or mature trees which would maintain the continuous tree canopy associated with the Residential Woodland.

In order to preserve the character of lands designated "Residential Low Density I", the proposed development will be evaluated in the context of policies comparing average lot frontage and area in the surrounding area.

It should also be noted that the outdoor amenity areas for individual dwellings should be identified to have a more realistic understanding of long term tree preservation expectations and identify what other implementation measures may be necessary to ensure the implementation of the official plan policies for Residential Woodlands.

Although the concept plans were modified with a November 2012 submission of materials, the above noted matters were not satisfactorily addressed.

#### **OTHER INFORMATION**

#### **Development Requirements**

	1 1
	In conjunction with the proposed development, there are certain
	other engineering and conservation matters with respect to grading,
	stormwater management, site servicing, noise attenuation and tree
	preservation/replacement, 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.
<b>CONCLUSION:</b>	All 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.
<b>ATTACHMENTS</b> :	Appendix I-1: Site History
	Appendix I-2: Aerial Photograph
	Appendix I-3: Excerpt of Cooksville District Land Use Map
	Appendix I-4: Excerpt of Existing Land Use Map
	Appendix I-5: Concept Plan
	Appendix I-6: Elevations
	Appendix I-7: Agency Comments

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 Appendix I-8: School Accommodation
 Appendix I-9: Applicable Mississauga Official Plan (2011) Policies
 Appendix I-10: Proposed Zoning Standards
 Appendix I-11: General Context Map

Edward R. Sajecki Commissioner of Planning and Building

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Prepared By: John Hardcastle, Development Planner

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### **Site History**

- May 2, 2003 Under consent application 'B' 22/03, a parcel with a frontage of approximately 30 m (100 ft.) on Gordon Drive was severed from the subject site to create a new property, now known as 2185 Gordon Drive.
- December 2, 2003 Appeal B11 is approved under OMB Order No.1608, which amended the Mississauga Plan policies for Special Site 11.
- June 8, 2006 Applications for Rezoning under file OZ 06/011 W7 and draft plan of subdivision under file 21T-M06002 W7 were submitted to accommodate the development of the lands for 5 detached dwellings on a common element condominium private road.
- 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 "R1-7" (Detached Dwelling Typical Lots).
- July 2010 Several significant/mature trees were removed from the lands in contravention of the Tree By-law and a previously issued Tree Removal Permit to remove only hazardous trees.
- January 16, 2012 Files OZ 06/011 and 21T-M06002 W7 were cancelled due to inactivity and the expressed intention of the new owner to pursue a modified proposal.











WEST STREET ELEVATION - LOTS 2 TO 4



PLOT I FRONT ELEVATION -FACING GORDON DRIVE

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# Agency Comments

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

Agency / Comment Date	Comment
Region of Peel (February 15, 2013)	Comments detailed Regional servicing facilities in the vicinity of the site, acknowledged revision requirements to the Functional Servicing Report (FSR) necessary prior to site plan approval and garbage collection and agreement requirements. In addition, the Region advised of the need to protect Regional servicing easements from encroachments or obstructions and necessary servicing easement requirements to support the development as proposed.
Peel District School Board and Dufferin-Peel Catholic District School Board (February 19, 2013)	Both School Boards 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. In addition, if approved, both School Boards also require that warning clauses with respect to temporary school and transportation arrangements be included in any Agreements of Purchase and Sale and the Development and/or Servicing Agreements.
Credit Valley Conservation (February 15, 2013)	The proposed development is traversed by Mary Fix Creek and is therefore partially within its Regulated Area and subject to the Authority's Development, Interference within Wetlands, and Alterations to Shorelines and Watercourses Regulation. The subject lands are also located within a Residential Woodlands area as indicated on Schedule 3 Environmental Areas of the Mississauga Official Plan (2011). CVC staff are

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Agency / Comment Date	Comment
	concerned that the development as proposed does not meet the intent of the Residential Woodland policies in terms of adequately protecting existing mature and significant trees and maintaining connectivity of the tree canopy which makes up this Residential Woodland.
	CVC Planning has reviewed the proposed Zoning By-law Amendment, Condominium Development Site Plan and Condominium Development Landscape Plan and advise that: revisions to the proposed zone standards are necessary to preserve and protect perimeter trees; no accommodations have been made for outside amenity structures (pools, decks and gazebos) for the future residents within the rear and side yards without additional, significant harm or loss of the trees; the landscape concept plan and the consulting arborist report conflict in terms of the number of trees to be preserved; and that efforts should be undertaken through the design and placement of dwellings on site, the identification of private amenity areas and long term tree preservation areas and in establishing appropriate grading and servicing plans to protect existing mature and significant trees on site.
	Revisions have been requested to the concept plans, draft zoning by-law amendment, EIS Report and Tree Preservation Report prior to the preparation of a Supplementary Report. Additional requirements pertaining to restoration of the natural hazard and other matters have been identified for inclusion in any required Servicing and/or Development Agreements, to be addressed prior to By-law Enactment. Additional requirements may be identified upon the review of outstanding information and will be outlined, as appropriate, within revised comments.

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Agency / Comment Date	Comment
City Community Services Department – Parks and Forestry Division/Park Planning Section (February 20, 2013)	Lands below the established Top of Bank and any buffer lands, as required by the City and CVC, shall be zoned Greenbelt and dedicated gratuitously to the City for long term conservation and natural hazard management.
(February 20, 2015)	Should this application be approved, fencing, protective hoarding, and associated securities for the dedicated greenbelt lands will be required. Arrangements will be made to secure for any clean-up and reinstatement works that may be required within the adjacent greenbelt.
	Prior to by-law enactment, cash contribution for street tree planting will be required. Furthermore, prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with City's Policies and By-laws.
City Community Services	The property has archaeological potential due to its proximity
Department – Culture Division (February 19, 2013)	to a watercourse or known archaeological resource. The proponent shall carry out an archaeological assessment of the subject property and mitigate, through preservation or resource removal and documenting, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject lands prior to the approval authority and the Ministry of Tourism and Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements.
	property has been requested.
City Community Services Department – Fire and Emergency Services Division (February 15, 2013)	Fire has reviewed the rezoning application from an emergency response perspective and has no concerns; emergency response time and site water supply availability are acceptable.

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Agency / Comment Date	Comment
City Transportation and Works Department (January 28, 2013)	This department advised that a Noise Control Study has been received which concludes, that with the use of appropriate attenuation measures and warning clauses the proposed development can be adequately attenuated from the surrounding noise sources in accordance with City, Regional and Ministry of Environment (MOE) guidelines. It was also indicated that minor revisions are required to the Site Servicing Plan and Condominium Development Plan. The Functional Servicing Report and Phase 1, Environmental Evaluation are satisfactory, however approval from the Credit Valley Conservation will be required prior to a Supplementary Meeting.
Other City Departments and External Agencies	The applicant has confirmed that the proposal for the interior eight lots fronting the future private cul-de-sac road is to be developed as a Common Element Condominium. 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 - Enersource Hydro Mississauga - Rogers Cable
	<ul><li>Credit Valley Hospital</li><li>Canada Post</li></ul>
	<ul> <li>The following City Departments and external agencies were circulated the applications but provided no comments:</li> <li>Development Services</li> <li>Realty Services</li> <li>Hydro One Networks</li> <li>Conseil Scolaire de District Catholique Centre-Sud</li> <li>Conseil Scolaire de District Centre-Sud-Ouest</li> <li>Enbridge Gas Distribution</li> <li>Trans-Northern Pipelines</li> <li>The Trillium Health Centre</li> </ul>

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## **School Accommodation**

The Peel District School Board			The Dufferin-Peel Catholic District School Board		
•	Student Yield:		•	• Student Yield:	
	1 1 1	Kindergarten to Grade 6 Grade 7 to Grade 8 Grade 9 to Grade 12/OAC		1 1	Junior Kindergarten to Grade 8 Grade 9 to Grade 12/OAC
•	School Accommodation:		•	School Accommodation:	
	Floradale P	Floradale Public School		St. Catherine of Siena	
	Enrolment: Capacity: Portables: Queen Eliz Enrolment: Capacity: Portables:	711 2 abeth Senior Public School		Enrolment: Capacity: Portables: St. Martin Enrolment: Capacity: Portables:	600 627 0 943 1,026 0
Ed caj	Enrolment: Capacity: Portables: Note: Capac	Secondary School 1,215 1,203 1 city reflects the Ministry of d capacity, not the Board rated ing in the requirement of			

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# **Applicable Mississauga Official Plan (2011) Policies**

#### Cooksville [Neighbourhood Character Area]

#### Section 16.1.2.1

To preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots proposed along the periphery of a draft plan of subdivision, or which are subject to a consent application, will generally represent the greater of:

- a. the average lot frontage and lot area of residential lots on both sides of the same street within 120 m (393.7 ft.) of the subject property. In the case of a corner lot, lots on both streets within 120 m (393.7 ft.) will be considered; or
- b. the requirements of the Zoning By-law.

Section 16.6.5.4.1

The lands identified as Special Site 4 are located west of Hurontario Street, south of Queensway West.

Section 16.6.5.4.2

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

- a. preserve and enhance the generous front, rear and side yard setbacks;
- b. ensure that existing grades and drainage conditions are preserved;
- c. encourage new housing to fit the scale and character of the surrounding area, and take advantage of the features of a particular site, i.e. topography, contours, mature vegetation;
- d. garages should be recessed or located behind the main face of the house. Alternatively, garages should be located in the rear of the property;
- e. ensure that new development has minimal impact on its adjacent neighbours with respect to overshadowing and overlook;
- f. encourage buildings to be one to two (1-2) storeys in height. The design of the building should de-emphasize the height of the house.

### **Direct Growth**

Section 5.1.7

Mississauga will protect and conserve the character of stable residential Neighbourhoods.

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#### Section 5.3.5.1

Neighbourhoods will not be the focus for intensification and should be regarded as stable residential areas where the existing character is to be preserved.

### Section 5.3.5.5

Intensification within Neighbourhoods may be considered where the proposed development is compatible in built form and scale to surrounding development, enhances the existing or planned development and is consistent with the policies of this Plan.

### **Build a Desirable Urban Form**

Section 9.1.3

Infill and redevelopment within Neighbourhoods will respect the existing planned character.

### Section 9.2.2.4

While new development need not mirror existing development, new development in Neighbourhoods will:

- a. respect existing lotting patterns;
- b. respect the continuity of front, rear and side yard setbacks;
- c. respect the scale and character of the surrounding area;
- d. minimize overshadowing and overlook on adjacent neighbours;
- e. incorporate stormwater best management practice;
- f. preserve mature high quality trees and ensure replacement of the tree canopy; and
- g. be designed to respect the existing scale, massing, character and grades of the surrounding area.

### **Environmental Policies**

### Section 6.3.1.4

Residential Woodlands are areas within Neighbourhoods, generally in older residential areas with large lots that have mature trees forming a fairly continuous canopy. Some areas have minimal native understorey due to maintenance of lawns and landscaping.

### Section 6.3.1.13

Development and site alteration will not be permitted within or adjacent to natural areas, Linkages and Special Management Areas unless it has been demonstrated that there will be no negative impacts to the features and ecological functions of the Natural Areas System.

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# **Proposed Zoning Standards**

	Base ''R16'' Standard	Proposed ''R16-Exception'' Standard
Maximum Dwelling Units	n/a	8
Minimum Lot Area	550 m <sup>2</sup> (5,920 sq. ft.) - Interior 720 m <sup>2</sup> (7,750 sq. t.) - Exterior	750 m <sup>2</sup> (8,073 sq. ft.)
Minimum Lot Frontage – Interior Lot	15 m (49.2 ft.)	15 m (49.2 ft.)
Maximum Lot Coverage	35%	35%
Minimum Front Yard	7.5 m (24.6 ft.)	5 m (16.4 ft.)
Minimum Front Yard to a Garage	7.5 m (24.6 ft.)	6 m (19.7 ft.)
Minimum Interior Side Yard	1.81 m (5.9 ft.)	1.5 m (4.9 ft.)
Minimum Rear Yard – Interior Lot	7.5 m (24.6 ft.)	5.5 m (18 ft.)
Maximum Height	10.7 m (35 ft.)	10.7 m (35 ft.)
An attached garage shall be provided on each lot	Attached or Detached permitted	Yes
Minimum Visitor Parking Spaces	0.25 spaces per unit (2 spaces)	3

