

# THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

## PLANNING REPORT

**DATE:** December 7, 2021

**TO:** Committee of the Whole

**FROM:** Melanie Knight, Senior Planner

**SUBJECT:** Site Plan Control – Tim Dillon (D11-DIL-21)  
PART OF LOT 12, CON. 12  
Pakenham Ward, Municipality of Mississippi Mills  
Municipally known as 4676 Dark's Side Road

**OWNER/APPLICANT:** 2755249 Ontario Inc/ ZanderPlan Inc.

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### RECOMMENDATION:

**THAT**, Committee of the Whole recommend that Council approve the Site Plan Control application (D11-DIL-12) for the property described legally as Part Lot 12, Concession 12;

**AND THAT**, the Mayor and Clerk be authorized to enter into a Site Plan Control Agreement for the development of a low-rise apartment building containing 22 dwelling units, as provided in Documents 2 and 3;

**AND THAT**, any approval for the Site Plan Control application is not deemed to be written Municipal consent as required by Section 53 of the Safe Water Drinking Act.

### BACKGROUND:

The applicant has filed a Site Plan Control application for the construction of a low-rise apartment building containing 22 dwellings units. The lands were subject to a Zoning By-law Amendment (Z-05-21) which was approved by Council in August 2021. The development proposal is to convert the existing building to 22 dwelling units with site specific exceptions for the *privacy yards* requirement so as to omit the requirements for *equipped children's play area*:

### LOCATION AND DESCRIPTION OF SUBJECT LANDS:

The subject property is situated in the northeast part of the Village of Pakenham on the eastern side of the Mississippi River with frontage along Dark's Side Road. The property is approximately 3.8 acres (1.5 hectares) in area, with 156 metres (511 feet) of frontage on Dark's Side Road, as shown in Figure 1.

The property contains a vacant building as well as a small number of accessory structures. Previous uses on the property were long-term care and light industrial uses. The vacant building is serviced by a private non-municipal drinking water system and private septic system.

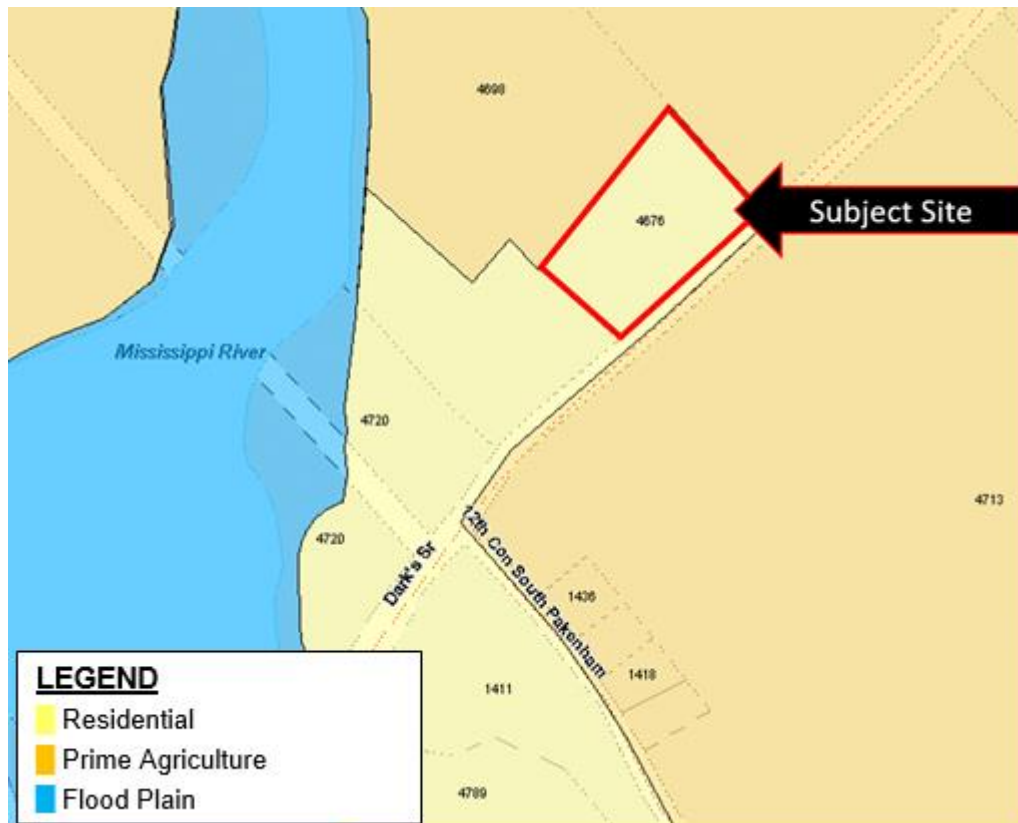
**Figure 1 – Location and Context Map**



## COMMUNITY OFFICIAL PLAN (COP)

The subject lands are designated “Residential” in the Community Official Plan, which aims to direct development to provide for a broad range of housing options in terms of housing types and rental opportunities

**Figure 2 – Schedule C (Pakenham Ward)**



The Goal of the Residential designation is to promote a balanced supply of housing to meet the present and future social and economic needs of all segments of the community.

The Objectives of the Residential designation are to:

1. Promote and support development which provides for affordable, rental and/or increased density of housing types.
2. Designate a sufficient supply of land to meet the residential goals of the Plan.
3. Ensure that land use policies and zoning do not establish barriers to a more balanced supply of housing.

4. Direct the majority of new residential development to areas where municipal sewer and water services are/will be available, and which can support new development.
5. Ensure that residential intensification, infilling and redevelopment within existing neighbourhoods is compatible with surrounding uses in terms of design.
6. Permit a range of activities in residential areas including home-based businesses, bed and breakfasts, group homes, churches, schools, community facilities and open space.
7. Work in conjunction with other levels of government and non-government organizations to establish necessary social housing.

The proposed use meets the general goals and intent of the applicable Residential policies of the Official Plan. The 22-unit apartment building is an infill development in a village that will add to the range of housing types provided throughout the Municipality. The residential use is appropriate and compatible with the surrounding land uses being primarily residential (in the Village of Pakenham) with some rural residential (outside the Village boundary).

### **COMPREHENSIVE ZONING BY-LAW #11-83**

As noted above, a Zoning By-law Amendment was approved for the proposed development in August 2021. A site-specific Residential Fourth Density Zone (R4-16) was approved to address specific performance standards of the proposed development. The Site Plan Control application adheres to the performance standards of the R4-16 zone.

As noted through the Zoning By-law Amendment process, the issues of site design such as concerns with traffic, emergency services, privacy, buffering and landscaping are addressed through the Site Plan Control application and review process. These site design concerns are addressed below in the Discussion Section.

### **CIRCULATION COMMENTS**

Comments received based on the circulation of this application have been summarized below:

#### **INTERNAL CIRCULATION**

CAO: No comments received.

Chief Building Official: No concerns or objections.

Acting Director of Roads and Public Works: All comments or concerns that are required by Public Works have been addressed through the Zoning By-law Amendment process as well as contained in this report.

Fire Chief: The Fire Department expects that the works to establish the fire access route delineated in the Site Plan will be implemented before occupancy.

A Fire Safety Plan is required; however, this is outside of the Site Plan Control process and will be required during the building permit stage.

Recreation Coordinator: No concerns or objections.

## EXTERNAL CIRCULATION

Ministry of the Environment, Conservation and Parks – Ottawa District Office:

- Septic System: Satisfied with the septic system inspection. Staff were also provided a copy of the MECP septic system report.
- Non-municipal drinking water system: MECP are working directly with the owner and will be working with him to ensure the site is in compliance with the Safe Drinking Water Act and its associated regulations.

Bell Canada: Requests that conditions are included in the Site Plan Agreement. These conditions are listed in Document 1 Site Plan Control Special Conditions.

Canada Post Delivery Planning Office: Requested a location for a mailbox on site.

## **DISCUSSION**

### Parking and Traffic

As illustrated in Document 1 Site Plan, the addition of a new parking area is proposed on the northeast side of the building for six new parking spaces.

Concerns were raised by the public regarding the location and layout of parking and drive aisles with respect to headlight glare on the adjacent property located at 4698 Dark's Side Road.

Staff have requested that the chain link fence be modified to have privacy screening added to the existing fence in order to mitigate the impacts of headlight glare. For Council's information, staff have specifically not requested that a new privacy fence be constructed along the southwest lot line as this would negatively impact the existing, mature cedar tree line located on the subject property as well as on the adjacent property at 4698 Dark's Side Road.

With respect to traffic, as the property has been vacant for a period of time, staff acknowledge that traffic will increase when residents are living in the proposed 22 residential units. Staff, however, are of the opinion that the proposed 22 units will not

result in a substantial increase of traffic to the site compared to the previous use of a long-term care home.

### Grading

As the majority of the site is not proposed to be altered to accommodate the proposed development, a grading and drainage plan was not requested as part of the Site Plan Control application.

### Septic System and non-municipal drinking water system

With respect to servicing, the approval and regulation of both the private septic system and drinking water system are under the authority of the Ministry of the Environment, Conservation and Parks (MECP), outside of the jurisdiction of the local health unit and municipal oversight through Site Plan Control.

For Council's information, the MECP has provided confirmation that the septic system was inspected and approved. The MECP has also provided preliminary information to staff regarding the non-municipal drinking water system. At the time of writing this report, staff were advised by the MECP that the drinking water system falls under the authority of the Safe Drinking Water Act and that Section 53 may also apply with respect to the written (municipal) consent required for the drinking water system. As this process falls outside of the Planning Act, a separate report on Committee of the Whole's agenda providing details of Section 53 and the Safe Water Drinking Act and written (municipal) consent.

### Open Storage

Previous versions of the Site Plan submitted as part of the Zoning By-law Amendment application and initial submission with the Site Plan Control application identified a large area on the northwest quadrant of the site as "Open Storage". Staff expressed a concern to the applicant regarding the extent of this area and there were also concerns raised by the public regarding this area for open storage.

As a result, the Open Storage area has been removed from the Site Plan, as illustrated in Document 1, and for Council's information, any future areas of open storage will be required to adhere to the provisions of the Zoning By-law.

### Landscaping

As previously mentioned, there are few site changes proposed as part of the proposed development and as a result, staff have not requested any changes to the existing landscaping.

As noted on the Site Plan in Document 1, there are a small number of trees and the entrance pillars at the existing driveways to be removed in order to accommodate the required 6.0 metre fire route.

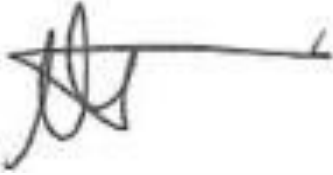
## **CONCLUSION**

The proposed site plan satisfies the provisions of the Zoning By-law and is consistent with relevant planning policies of the Community Official Plan. Therefore, Staff

recommends the approval of the application for the proposed 22-unit low-rise apartment building, subject to the execution and registration of the Site Plan Control Agreement.


Respectfully submitted by,

Reviewed by:



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Melanie Knight  
Senior Planner



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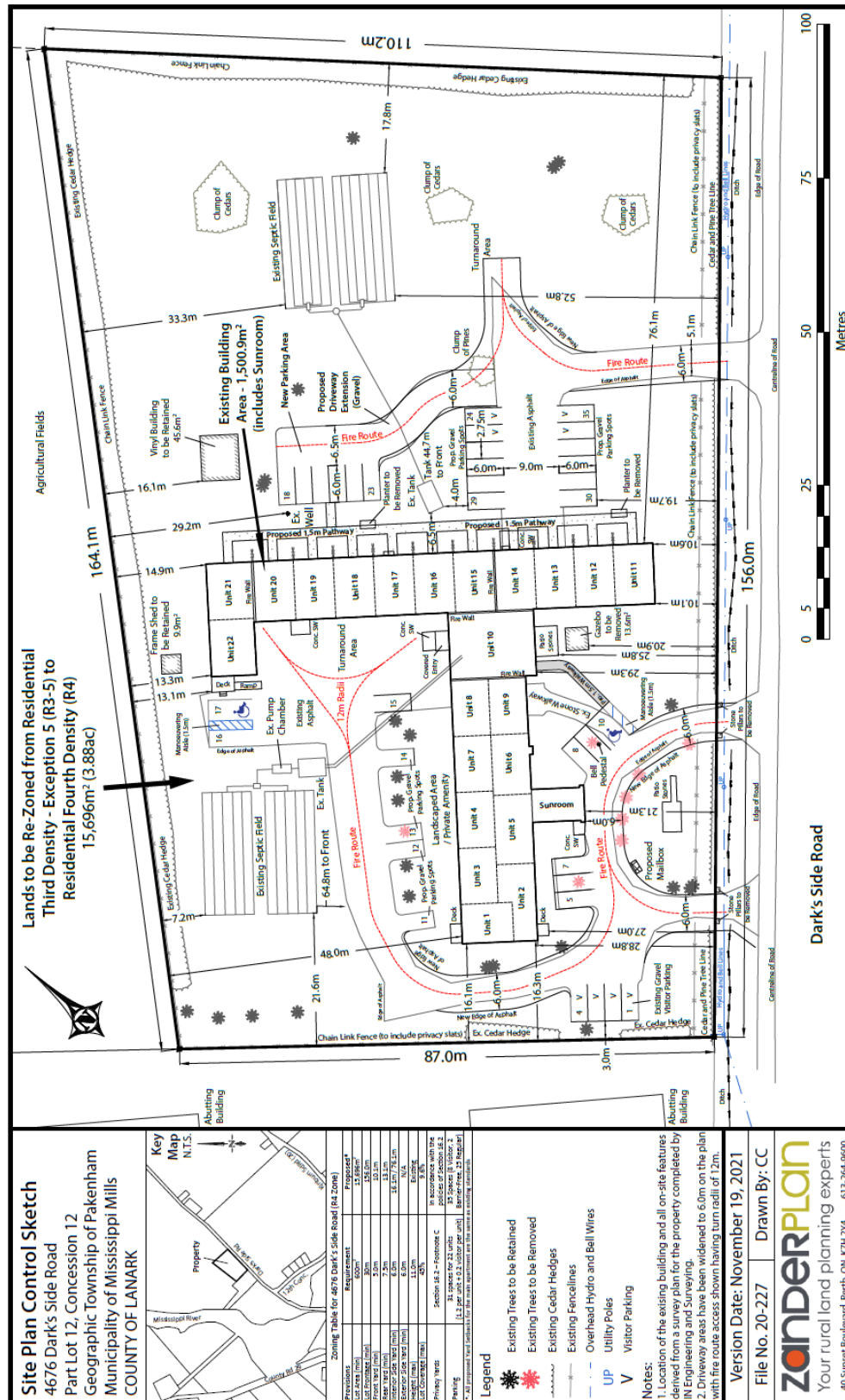
Ken Kelly  
CAO

ATTACHMENTS:

Document 1 – Site Plan

Document 2 – Conditions of Approval

## Document 1 – Site Plan







## Document 2 – Special Conditions of Approval

In addition to the Standard Conditions, the following conditions are recommended:

1. The Owner acknowledges and agrees that the Ministry of the Environment, Conservation and Parks is the approval authority for the septic system and non-municipal drinking water system.
2. The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
3. The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.