

# City of Mississauga Corporate Report



<p>Date: May 7, 2021</p> <p>To: Chair and Members of Planning and Development Committee</p> <p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning &amp; Building</p>	<p>Originator's file: OZ 20/004 W6</p>
	<p>Meeting date: May 31, 2021</p>

## Subject

### **RECOMMENDATION REPORT (WARD 6)**

**Official Plan Amendment and Rezoning applications to permit 105 townhomes  
1240-1310 Britannia Road West, 0 Cabrera Crescent, 5939-5989 Cabrera Crescent and  
1295 Galesway Boulevard, south side of Britannia Road West, east of Whitehorn Avenue  
Owner: National Homes (1240 Britannia) Inc. and Mattamy (Country Club) Ltd.  
File: OZ 20/004 W6**

## Recommendation

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*, any further notice regarding the proposed amendment is hereby waived.
2. That the application under File OZ 20/004 W6, National Homes (1240 Britannia) Inc. and Mattamy (Country Club) Ltd., 1240 Britannia Road West to change the zoning to **RM6-25** (Townhouses on a CEC – Road) to permit 105 townhomes, be approved subject to the conditions referenced in the staff report dated May 7, 2021 from the Commissioner of Planning and Building.
3. That the city initiated, technical official plan amendment to remove the Cabrera Crescent extension from Schedule 10 (Land Use Designation), of Mississauga Official Plan, be approved.
4. That the applicant agrees to satisfy all the requirements of the City and any other external agency concerned with the development.
5. That Realty Services be directed to order an appraisal of Blocks 71, 74, 75 and the lands south of Block 75, in order to establish a purchase price for the lands. That, Legal Services

and Realty Services draft an Agreement of Purchase and Sale between National Homes (1240 Britannia) Inc. and the City for these lands once the value of the lands has been determined.

6. That Realty Services be directed to prepare a report for consideration at General Committee, to declare Blocks 71, 74, and 75 of Plan 43M-1563 and the lands south of Block 75 surplus and recommend that the unopened road allowance be closed by by-law.
7. That Council direct the Transportation and Works Department to prepare a by-law to stop up and close the unopened road allowance on the lands south of Block 75 on plan 43M-1563.
8. That Council direct staff to amend the existing Development Agreement and Servicing Agreement for Plan 43M-1563, to facilitate the execution of the Agreement of Purchase and Sale to transfer Blocks 71, 74, 75 and the lands south of Block 75 on plan 43M-1563 to the applicant, and that the Commissioner of Planning and Building be authorized to approve the amended Development Agreement.
9. That Council direct the Planning and Building Department to prepare a by-law to deregister Lots 60 to 69 and Blocks 70, 71, 74, 75 and the lands south of Block 75 on Plan 43M-1563.
10. 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.
11. That the "H" holding symbol is to be removed from the **RM6-25** (Townhouses on a CEC - Road) zoning applicable to the subject lands, by further amendment upon confirmation from applicable agencies and City Departments that matters as outlined in the report dated May 7, 2021, from the Commissioner of Planning and Building have been satisfactorily addressed.
12. Notwithstanding subsection 45.1.3 of the *Planning Act*, subsequent to Council approval of the development application, the applicant can apply for a minor variance application, provided that height shall not increase.

## Executive Summary

- The application is to change the zoning by-law to allow 105 townhomes
- As a result of the recommendation to eliminate the extension of Cabrera Crescent, it has been determined that a City-initiated technical official plan amendment is required to Schedule 10 (Land Use Designations) of Mississauga Official Plan

- The applicant has made minor revisions to the proposal to address issues raised at the Public Meeting and by staff, including reducing the total number of units proposed, retention of mature trees, adding a second vehicular access onto Galesway Boulevard and increased side yard setbacks
- It has been concluded that the proposed development is supportable from a planning perspective
- Staff are satisfied with the changes to the proposal and find them to be acceptable from a planning standpoint, and recommend that the applications be approved.

## Background

A public meeting was held by the Planning and Development Committee on September 8, 2020, at which time an Information Report:

(<https://pub-mississauga.escibemeetings.com/FileStream.ashx?DocumentId=4287>)

was received for information. Recommendation PDC-0029-2020 was then adopted by Council on September 16, 2020.

That the report dated August 14, 2020, from the Commissioner of Planning and Building regarding the applications by National Homes (1240 Britannia) Inc. and Mattamy (Country Club) Ltd. to permit 108 townhomes and one single detached home, under Files OZ 20/004 W6 and T-M20001 W6, 1240 Britannia Road West, be received for information.

## Comments

### REVISED DEVELOPMENT PROPOSAL

The applicant has made some minor modifications to the proposed concept plan including:

- The total number of units proposed has been reduced from 109 units to 105 units in order to accommodate a more centrally located amenity space, which has been increased from 606 m<sup>2</sup> (6,523 ft<sup>2</sup>) to 633 m<sup>2</sup> (6,813 ft<sup>2</sup>). The reduced density has also provided an increased side yard setback from Block 5 to the existing residential homes to the east and an increased side yard setback from Block 3 to the proposed public sidewalk. The proposed revisions will provide additional privacy to existing and future area residents
- The proposal has been revised to accommodate three Tree Preservation Areas along the east property boundary, which will ensure the retention of 5 mature trees. The proposal has also been revised to include 147 replacement trees, which will provide privacy and long term environmental benefits
- The proposed emergency access onto Cabrera Crescent has been removed and a second vehicular access has been provided onto Galesway Boulevard.

### COMMUNITY ENGAGEMENT

Notice signs were placed on the subject lands advising of the proposed zoning change. All property owners within 120 m (393 ft.) were notified of the application on July 7, 2020. A pre-

submission community meeting was held by Ward 6 Councillor Ron Starr on March 10, 2020.

Supporting studies were posted on the City's website at

<http://www.mississauga.ca/portal/residents/development-applications>.

The public meeting was held on September 8, 2020. There were no members of the public that made deputations regarding the application. Responses to the issues raised at the community meeting and from correspondence received can be found in Appendix 2.

## PLANNING ANALYSIS SUMMARY

The *Planning Act* allows any property owner within the Province of Ontario the ability to make a development application to their respective municipality in order to accommodate a particular development proposal on their site. Upon the submission of mandated technical information, the municipality is obligated under the *Planning Act* to process and consider the application within the rules set out in the Act.

The Province identifies through its *Provincial Policy Statement* matters that are of provincial interest, which require the development of efficient land use patterns and sustainability in urban areas that already exist. The Province has also set out the *Growth Plan for the Greater Golden Horseshoe*, which is designed to promote economic growth, increase housing supply and build communities that are affordable and safe, among other items. The Growth Plan requires municipalities to manage growth within already existing built up areas to take advantage of existing services to achieve this mandate. In order to meet required housing supply projections, the *Planning Act* instructs municipalities to make planning decisions that are consistent with the *Provincial Policy Statement* and the Growth Plan.

A detailed Planning Analysis is found in Appendix 2. The application is consistent with the *Provincial Policy Statement* and conforms to the *Growth Plan for the Greater Golden Horseshoe*, the Region of Peel Official Plan and Mississauga Official Plan (MOP). An official plan amendment is not required for the proposed townhomes. A city-initiated technical Official Plan Amendment to remove the extension of Cabrera Crescent on Schedule 10 (Land Use Designations) is recommended.

A draft plan of subdivision (currently being held in abeyance until a decision is made by Planning and Development Committee to approve the proposed rezoning and city-initiated official plan applications), is also necessary in order to develop the site. A detailed analysis of the matters to be addressed prior to draft plan of subdivision approval can be found in Section 15 of Appendix 2. The evaluation of the proposed rezoning was analyzed using the following criteria:

- Directing Growth: Are townhomes consistent with the Residential Medium Density designation in MOP?
- Compatibility with Neighbourhood Character: Is the proposed built form appropriate?
- Compatibility with road network: Should Cabrera Crescent be extended to Galesway Boulevard?
- Services and Infrastructure: Is there adequate infrastructure to support the proposal?

The proposed rezoning to permit 105 townhomes has been found acceptable, based upon the following:

- The proposal represents intensification that is compatible with the neighbourhood context and conforms to existing MOP policies
- The proposal provides appropriate transition to the existing land uses and provides a range of residential built forms while continuing to respect the character of the area
- The proposed CEC road is compatible with the existing road network, which is characterized by cul-de-sacs and crescents
- The existing municipal infrastructure is adequate to support the proposed development

## Strategic Plan

The applications are consistent with the Connect pillar of the Strategic Plan by contributing a choice of housing type to residents that supports the principle of building complete communities to accommodate growth.

## Financial Impact

All fees paid by developers are strictly governed by legislation, regulation and City by-laws. Fees are required to be paid prior to application approval, except where otherwise may be prescribed. These include those due to the City of Mississauga as well as any other external agency.

## Conclusion

In summary, the proposed development is compatible with adjacent uses and provides for a built form that supports a mix of housing types, tenures and at varying price points to accommodate households. The proposed rezoning and City-initiated technical official plan amendment are acceptable from a planning standpoint and should be approved.

Should the applications be approved by Council, the implementing official plan amendment and zoning by-law will be brought forward to Council at a future date.

## Attachments

Appendix 1: Information Report

Appendix 2: Detailed Planning Analysis



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Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building

Prepared by: Tori Stockwell, Development Planner

## Recommendation Report Detailed Planning Analysis

**Owner: National Homes (1240 Britannia) Inc. and Mattamy (Country Club) Ltd.**

**1240-1310 Britannia Road West, 0 Cabrera Crescent, 5939-5989 Cabrera Crescent and  
1295 Galesway Boulevard**

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## 1. Community Comments

Written comments received, and comments made at the community meeting and public meeting were generally directed towards traffic volume, retention of existing mature trees and privacy. Below is a summary and response to the specific comments heard.

### Comment

An additional vehicular access point should be provided onto Britannia Road West, in order to mitigate increased traffic on Galesway Boulevard.

### Response

Britannia Road West is classified as a Regional arterial road. The intent of arterial roads is to move large volumes of traffic with limited interruption and the Region was not supportive of an access to Britannia Road. Where feasible, access is to be obtained by way of local roads, such as Galesway Boulevard.

### Comment

Increased traffic on Galesway Boulevard will negatively impact the surrounding community and reduce pedestrian safety.

### Response

A Traffic Impact Study (TIS) was submitted in support of the application. The study investigated the impact of the proposed development on the existing traffic network and concludes that the development will not create undue impacts on the surrounding traffic network. In addition, Urban Design staff are satisfied that the pedestrian access and pathways promote a safe active transportation environment.

### Comment

The mature trees and bushes located adjacent to the east lot line of the subject lands should be maintained for environmental and privacy reasons.

### Response

Based on the Tree Preservation Plan and Arborist Report there is opportunity to retain 10 existing trees. The trees proposed for removal include those that are dead, not considered to be in a vigorous state, not suitable for preservation due to conflicts with grading requirements, or are infected with Emerald Ash Borer (EAB) and are not safe for retention. The proposal includes 147 replacement trees, which will be disease resistant native and/or non-invasive species with moderate to large growth potential and are better adapted to providing both privacy and long term environmental benefits than some of the existing trees.

### Comment

A fence should be provided along the interior lot lines to maintain privacy, mitigate increased noise levels and provide additional neighbourhood safety.

### Response

A fence will be provided along the property lines adjacent to existing residential development. A detailed review will be conducted by Urban Design staff during the site plan application process.

### Comment

In order to reduce overlook and maintain privacy, windows, terraces and balconies should not be permitted above the second storey on elevations adjacent to existing rear yards.

### **Response**

The orientation of the proposed townhome blocks provide a rear yard to rear yard condition relative to the existing residential development. Where applicable, the retention of mature vegetation and increased side yard setbacks further mitigate overlook onto adjacent properties. The planning analysis determined that the proposed development is compatible with the neighbourhood and that any potential impacts are acceptable.

### **Comment**

The site will be overdeveloped and the increased population will adversely impact the surrounding parkland amenities which are currently oversubscribed.

### **Response**

Although MOP states that neighbourhoods will not be the focus for intensification this does not mean they will remain static. MOP policies allow for some intensification to occur in neighbourhoods where it is considered to have a compatible built form, and is sensitive to the existing and planned context. MOP states that parks should generally be accessible for residents within 800 m (2,625 ft.) of their dwellings.

The preliminary planning analysis identified that the application will have minimal impact on existing services in the community. The site is located in close proximity to two public parks and River Grove Community Centre. The proposed development also includes a centrally located outdoor on-site amenity area, which will accommodate residents of the townhome development.

### **Comment**

There will be an increase in noise and environmental pollution as a result of the development.

### **Response**

While there may be some disturbances associated with the construction of the townhomes, these impacts will be temporary. In addition, the electrical transformers, garbage and recycling areas are located internal to the site and will not impact adjacent properties.

## **2. Updated Agency and City Department Comments**

### **UPDATED AGENCY AND CITY DEPARTMENT COMMENTS**

The application was circulated to all City departments and commenting agencies on April 15, 2020. A summary of the comments are contained in the Information Report attached as Appendix 1. Below are updated comments.

### **Transportation and Works**

Comments updated April 22, 2021, state that detailed technical reports and drawings have been reviewed to ensure that engineering matters related to noise, grading, servicing, stormwater management, traffic and environmental compliance have been satisfactorily addressed to confirm the feasibility of the project, in accordance with City requirements.



## **Noise**

The evaluation of the noise sources that may have an impact on this development include road and air traffic. Noise mitigation will be required, including sound barriers for outdoor living areas, the details of which will be confirmed through the site plan process. Potential noise sources that may be generated by the development, including mechanical equipment, will be mitigated through the detailed design of the building at site plan stage.

## **Stormwater**

The applicant has demonstrated a satisfactory stormwater servicing concept. Infiltration is being proposed on-site to achieve the water balance criteria. Further details related to the infiltration measures, as well as the overall refinement of the stormwater management report can be addressed prior to site plan approval. The Region of Peel's approval of any stormwater directed to Britannia Road West in the post-development condition will be addressed prior to the Lifting of the Holding zone.

## **Traffic**

Two traffic impact study (TIS) submissions were provided by BA Consulting Group Ltd., in support of the proposed development. Based on the second submission, dated October 2020, the study complied with the City's TIS guidelines and is deemed satisfactory. The study concluded that the proposed development is anticipated to generate 70 (15 in, 55 out) and

95 (60 in, 35 out) two-way site trips for the weekday AM and PM peak hours in 2025 respectively.

With the traffic generated by the proposed development, the study area intersections and proposed vehicular access are expected to operate at acceptable levels of service with minimal impact to existing traffic conditions.

## **Environmental Compliance**

A Phase Two Environmental Site Assessment, dated March 5, 2021, prepared by DS Consultants has been received along with the reliance letter, dated March 5, 2021.

No further subsurface investigation is required regarding the environmental quality of the soil and ground water.

The following matters will be addressed prior to lifting of the Holding zone provision:

- Provide certification that lands to be dedicated to the City meet applicable standards
- Provide Temporary Discharge letter.

## **Other Engineering Matters**

Other site-specific details including, but not limited to, municipal infrastructure design and construction, servicing, land dedications, easements and road works are required in support of this development and will be dealt with through the related Subdivision Agreement or draft plan conditions.

## **School Accommodation**

In comments, dated May 2020, 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. 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.

### **3. *Provincial Policy Statement, 2020 (PPS) and the Growth Plan for the Greater Golden Horseshoe (Growth Plan) 2019 and Amendment No. 1 (2020)***

The *Provincial Policy Statement* (PPS) and the *Growth Plan for the Greater Golden Horseshoe* (Growth Plan) provide policy direction on matters of provincial interest related to land use planning and development and directs the provincial government's plan for growth and development that supports economic prosperity, protects the environment and helps communities achieve a high quality of life.

Both the PPS and the Growth Plan recognize that the official plan is the most important vehicle for implementation of these policies as "comprehensive, integrated and long-term planning is best achieved through official plans".

Under the *Planning Act*, all planning decisions must be consistent with the PPS and conform to the Growth Plan.

## **4. Consistency with PPS**

Section 1.1.3.2 of the PPS requires development to reflect "densities and a mix of land uses which efficiently use land and resources, are appropriate for and efficiently use infrastructure and public service facilities and are transit supportive". Section 1.1.3.3 of the PPS states that "planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated, taking into account existing building stock" and Section 1.1.3.4 of the PPS states that "appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while maintaining appropriate levels of public health and safety".

Chapter 5 of MOP (Direct Growth) indicates that intensification within neighbourhoods may be considered where the proposed development is compatible in built form and scale to surrounding development, is sensitive to the existing and planned context and will include appropriate transitions in use, built form, density and scale.

Chapter 7 of MOP (Complete Communities) supports the creation of complete communities that meet the day-to-day needs of people through all stages of their life, offering a wide assortment of housing options.

Chapter 9 of MOP (Build a Desirable Urban Form) addresses the need for appropriate infill in both Intensification Areas and Non-Intensification Areas in order to help revitalize existing

communities by replacing aged buildings, developing vacant or underutilized lots and by adding to the variety of building forms and tenures.

The amount of intensification proposed as part of the subject development supports the general intent of the PPS, the Growth Plan and MOP. The proposed development can utilize surrounding community infrastructure and has access to adequate servicing.

The relevant MOP policies in this report are consistent with the PPS.

## **5. Conformity with Growth Plan**

Section 2.2.1.2 c) in the Growth Plan states that within settlement areas, growth will be focused in delineated built-up areas; strategic growth areas; locations with existing or planned transit; and, areas with existing or planned public service facilities.

Section 2.2.1.4 in the Growth Plan directs municipalities to "provide a range and mix of housing options". It states that complete communities will "provide a more compact built form". The PPS and Growth Plan indicate that development must be governed by appropriate standards including density and scale.

Section 5.3.5.6 of MOP states development will be sensitive to the existing and planned context and will include appropriate transitions in use, built form, density and scale.

Section 9.1.1 of MOP states Mississauga will develop an urban form based on the urban system and the hierarchy identified in the city structure as shown on Schedule 1: Urban System. Section 9.1.3 states infill and redevelopment within Neighbourhoods will respect the existing and planned character.

The relevant MOP policies in this report conform to the Growth Plan for the Greater Golden Horseshoe. The proposed development conforms to the Growth Plan as it is completing the neighbourhood fabric in a built up area, utilizing existing infrastructure.

The policies of the Greenbelt Plan and the Parkway Belt Plan are not applicable to this application.

## **6. Region of Peel Official Plan**

The subject property is located within the Urban System within the Region of Peel. General Objectives in Section 5.3 direct development and redevelopment to the Urban System to conserve the environment, achieve sustainable development, establish healthy complete communities and intensification in appropriate areas that efficiently use land, services, and infrastructure, while taking into account the characteristics of existing communities.

Section 9.1 of MOP (Introduction – Build a Desirable Urban Form) states that urban form refers to the physical layout and design of the city. It addresses the natural and built environments and influences that lead to successful cities. This section emphasizes where growth will be directed and other

areas where limited growth will occur. It envisions that growth will be directed to Intensification Areas comprised of Community Nodes (among others) that will promote a desirable urban form that supports transit.

The relevant MOP policies in this report are in conformity with the Region of Peel Official Plan (ROP). The proposed development conforms to ROP as it is an appropriate development that efficiently uses land to complete the development of a neighbourhood.

## **7. Mississauga Official Plan (MOP)**

The subject site is designated **Residential Medium Density** which permits townhomes. The proposal for 105 townhomes does not require an amendment to the Mississauga Official Plan policies for the East Credit Neighbourhood Character Area, with respect to land use. However, should Council approve the application, a City initiated technical official plan amendment will be required to remove the extension of Cabrera Crescent from Schedule 10 (Land Use Designations) of MOP. In the event this amendment to Schedule 10 proceeds and comes into force and effect, then the proposal will be in conformity with Mississauga Official Plan.

## 8. Revised Site Plan and Elevations



Figure 1 – Proposed Site Plan



CONCEPTUAL ELEVATION A  
REGULAR TOWNHOUSES - TYPICAL 8 UNIT BLOCK



CONCEPTUAL ELEVATION B  
REGULAR TOWNHOUSES - TYPICAL 8 UNIT BLOCK

Figure 2 – Proposed Elevations

## 9. Zoning

The proposed **RM6-25** (Townhouses on a CEC - Road) is appropriate to accommodate the proposed 105 townhomes.

Below is an updated summary of the proposed site specific zoning provisions:

### Proposed Zoning Regulations

Zone Regulations	RM6 Zone Regulations	Proposed RM6-25 Zone Regulations
Maximum number of <b>dwelling units</b> on all lands zoned RM6-25	N/A	105
The <b>lot line</b> abutting Britannia Road West for Blocks '4', '5' and '6' identified on Schedule RM6-25 of this Exception shall be deemed to be the front lot line	N/A	✓
The <b>lot line</b> abutting Galesway Boulevard for Blocks '10', '11', and '12' identified on Schedule RM6-25 of this Exception shall be deemed to be the front lot line	N/A	✓
"Front Lot Line" means the line that divides a <b>lot</b> from a <b>CEC – road</b> or a <b>street</b>	N/A	✓
The areas identified on Schedule RM6-25 of this Exception as a tree preservation area, shall only be used for conservation purposes, and no <b>buildings</b> or <b>structures</b> , <b>swimming pools</b> , tennis courts or any like recreational facilities, except for fences along the <b>lot lines</b> , shall be permitted	N/A	✓

Zone Regulations	RM6 Zone Regulations	Proposed RM6-25 Zone Regulations
Minimum <b>CEC - amenity area</b> for all lands zoned RM6-25 to be provided in one contiguous area	N/A	630 m <sup>2</sup> (6,781 ft <sup>2</sup> )
Minimum <b>lot area CEC – corner lot</b>	190 m <sup>2</sup> (2,045 ft <sup>2</sup> )	160 m <sup>2</sup> (1,722 ft <sup>2</sup> )
Minimum <b>lot frontage CEC – corner lot</b>	8.3 m (27 ft.)	6.4 m (21 ft.)
<b>Lot</b> with an <b>exterior side lot line</b> abutting a <b>street</b>	4.5 m (14 ft.)	3.4 m (11 ft.)
<b>Lot</b> with an <b>exterior side lot line</b> abutting a CEC - sidewalk	3.3 m (10 ft.)	1.2 m (4 ft.)
Minimum <b>interior side yard</b> unattached side	1.5 m (5 ft.)	1.2 m (4 ft.)
Minimum <b>interior side yard</b> where <b>interior side lot line</b> is the <b>rear lot line</b> of an abutting parcel	2.5 m (8 ft.)	1.2 m (4 ft.)
Minimum <b>rear yard interior lot/CEC – corner lot</b>	7.5 m (24 ft.)	7.0 m (23 ft.)
Maximum <b>height</b>	10.7 m (35 ft.) and 3 <b>storeys</b>	13.0 m (42.6 ft.) and 3 <b>storeys</b>
Minimum setback of a <b>townhouse</b> to a CEC – visitor <b>parking space</b>	3.3 m (10 ft.)	1.8 m (6 ft.)
Minimum setback of a <b>townhouse</b> to a <b>CEC - amenity area</b>	1.5 m (5 ft.)	1.2 m (4 ft.)

Zone Regulations	RM6 Zone Regulations	Proposed RM6-25 Zone Regulations
Maximum <b>driveway</b> width of end <b>unit</b> abutting Britannia Road West	3.0 m (9 ft.)	6.2 m (19 ft.)
Maximum encroachment of a <b>porch</b> or <b>deck</b> inclusive of stairs located at and accessible from the <b>first storey</b> or below the <b>first storey</b> into the required <b>rear yard</b> for Blocks '4' to '6' and '10' to '12'	5.0 m (16 ft.)	2.5 m (8 ft.)
Maximum encroachment of a <b>balcony</b> into the required <b>rear yard</b> for Blocks '4' to '6' and '10' to '12'	1.0 m (3 ft.)	2.5 m (8 ft.)
Maximum encroachment of a <b>balcony</b> or <b>deck</b> inclusive of stairs into the required <b>rear yard</b> for Blocks '1' to '3' and '7' to '9'	1.0 m (3 ft.)	1.5 m (5 ft.)
Maximum encroachment of a <b>balcony</b> or <b>deck</b> inclusive of stairs into the required <b>rear yard</b> for Blocks '4' to '6', '10' to '12' and '13' to '17'	1.0 m (3 ft.)	2.5 m (8 ft.)
External heating and air conditioning equipment may be located on a <b>balcony</b> for Blocks '4' to '6' and '10' to '12'	N/A	✓
In addition to the regulations listed, other minor and technical variations to the implementing by-law may also apply, including changes that may take place before Council adoption of the by-law, should the application be approved.		

## 10. Bonus Zoning

Council adopted Corporate Policy and Procedure 07-03-01 – Bonus Zoning on September 26, 2012. In accordance with Section 37 of the *Planning Act* and policies contained in the Official Plan, this policy enables the City to secure community benefits when increases in permitted height and/or density are deemed to be good planning by Council through the approval of a development application.

The proposal has been reviewed for applicability with Section 37 Community Benefits (Bonus Zoning) policies of MOP. The development does not meet the criteria for a Section 37 agreement as the proposal conforms to the permission in the Medium Density designation in MOP, and therefore, does not meet the eligibility requirements contained in Corporate Policy 07-03-01 – Bonus Zoning.

## 11. Affordable Housing

In accordance with the Provincial Growth Plan (2019), *Provincial Policy Statement* (2020), Regional Official Plan and Mississauga Official Plan (MOP), the City requested that a minimum of 10% of the proposed units (not including the first 50 units) be affordable in order to accommodate a diverse range of incomes and household sizes.

The applicant has proposed that six of the townhomes located adjacent to the Britannia Road West property line will contain a secondary unit, for a total of 6 secondary units. The proposed secondary units provide a mix of housing options to



accommodate a diverse range of incomes and household sizes, and is considered in accordance with the City Council approved *Making Room for the Middle – A Housing Strategy for Mississauga*.

Based on the above requirement, the applicant has committed to provide 6 secondary units within the development, which will be secured by way of a Subdivision Agreement.

## **12. "H" Holding Symbol**

Should this application be approved by Council, staff will request an "H" Holding Symbol which can be lifted upon:

- Resolution of the required land dedications and conveyances; services, road configuration and access required in support of the development; entering into agreements as required satisfactory to the City and the Region of Peel or any other applicable authority; execution of an amending agreement of the existing development and servicing agreements for 43M-1563; de-registration of a portion of subdivision 43M-1563 and the provision of any outstanding or updated reports, documents, drawings/plans to the satisfaction of the City, the Region or any other applicable authority in support of any required land dedication, easement or servicing proposal.

## **13. Site Plan**

Prior to development of the lands, the applicant will be required to obtain site plan approval. No site plan application has been submitted to date for the proposed development.

While the applicant has worked with City departments to address many site plan related issues through review of the concept plan, further revisions will be needed to address matters such as tree removal permissions, additional green development initiatives and architectural design.

## **14. Green Development Initiatives**

The applicant has identified that the following green development initiatives will be incorporated into the development:

- Reduced energy consumption through LED light sources
- Cisterns will be provided to reduce impact on stormwater infiltration.

## 15. Draft Plan of Subdivision

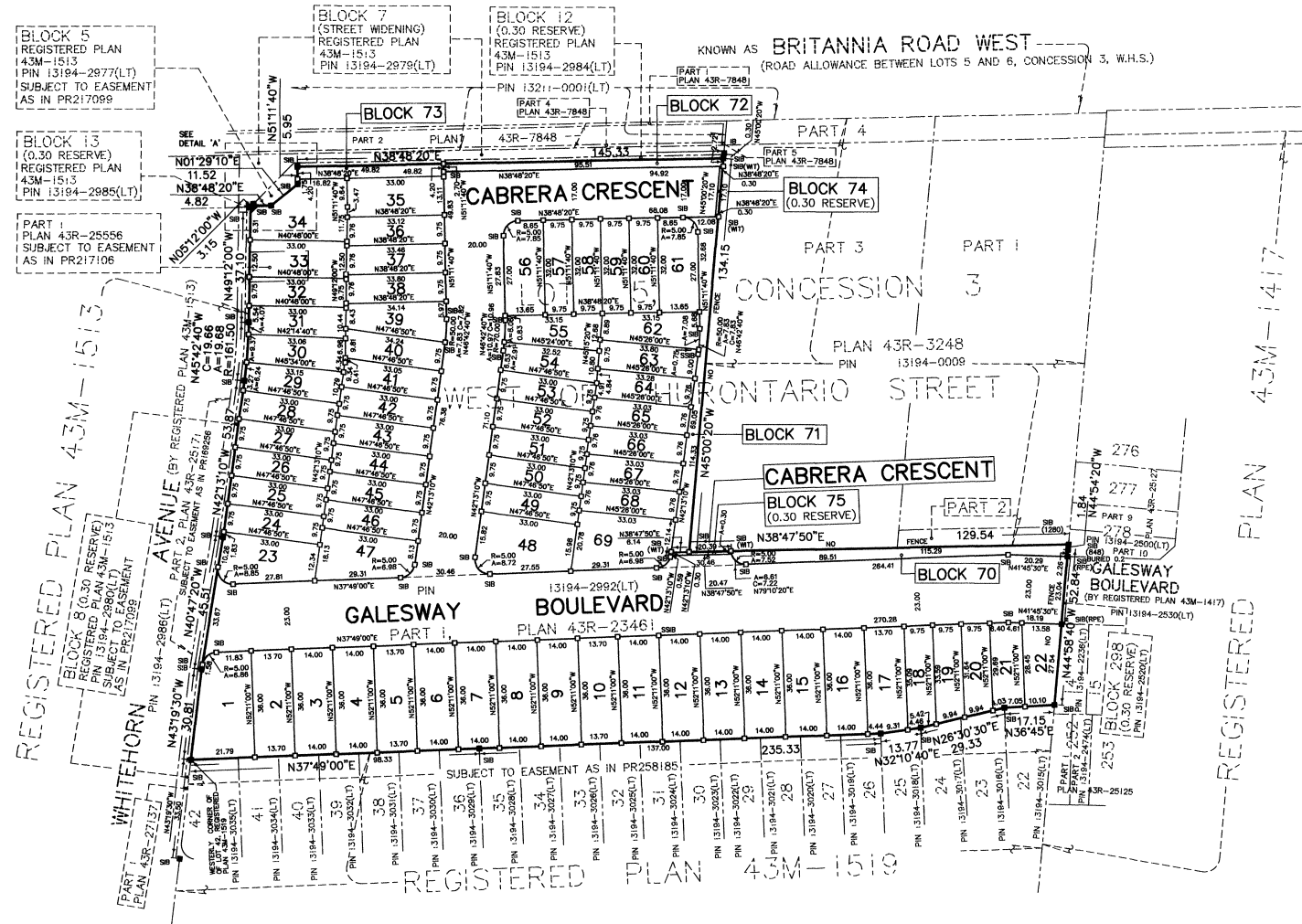
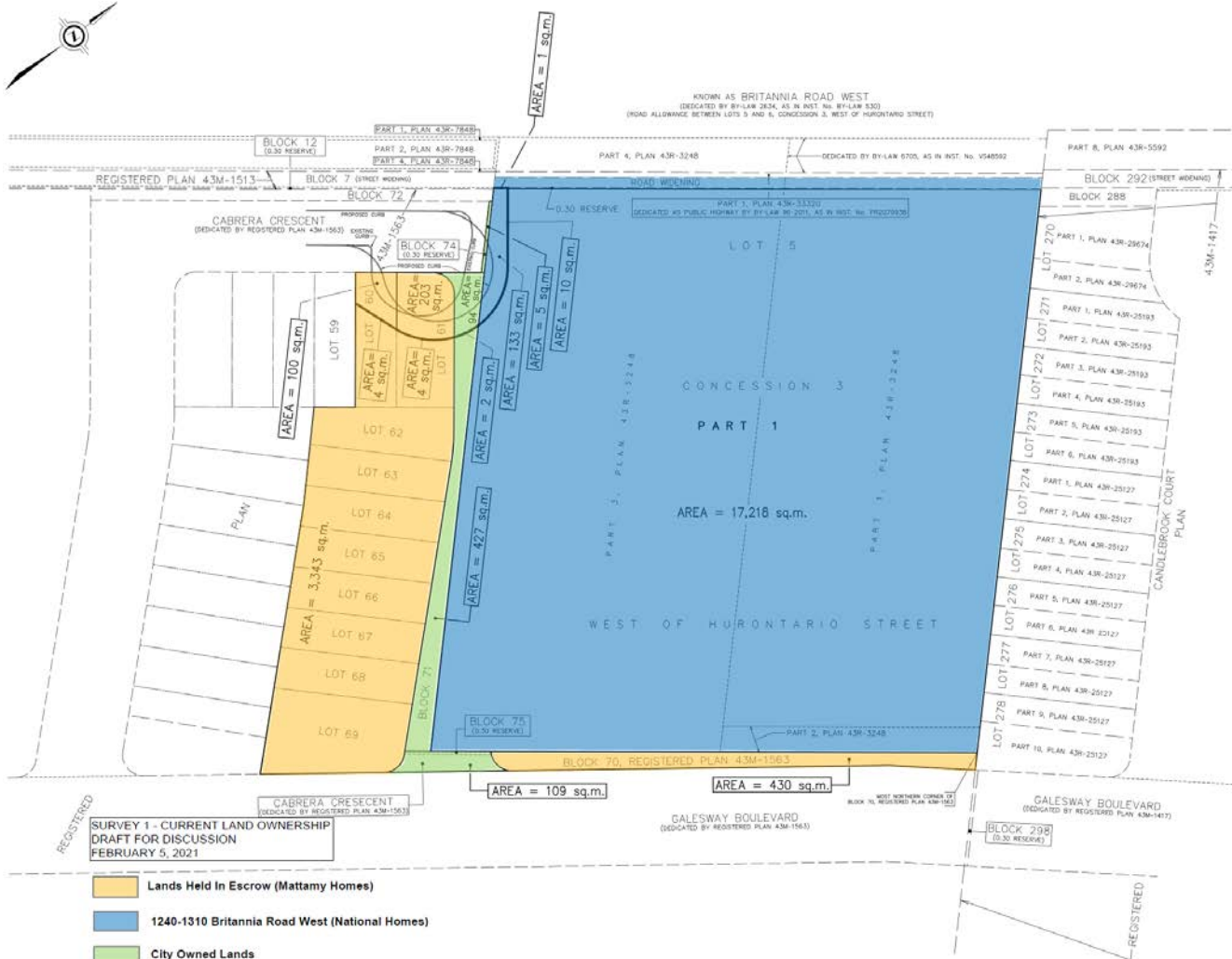
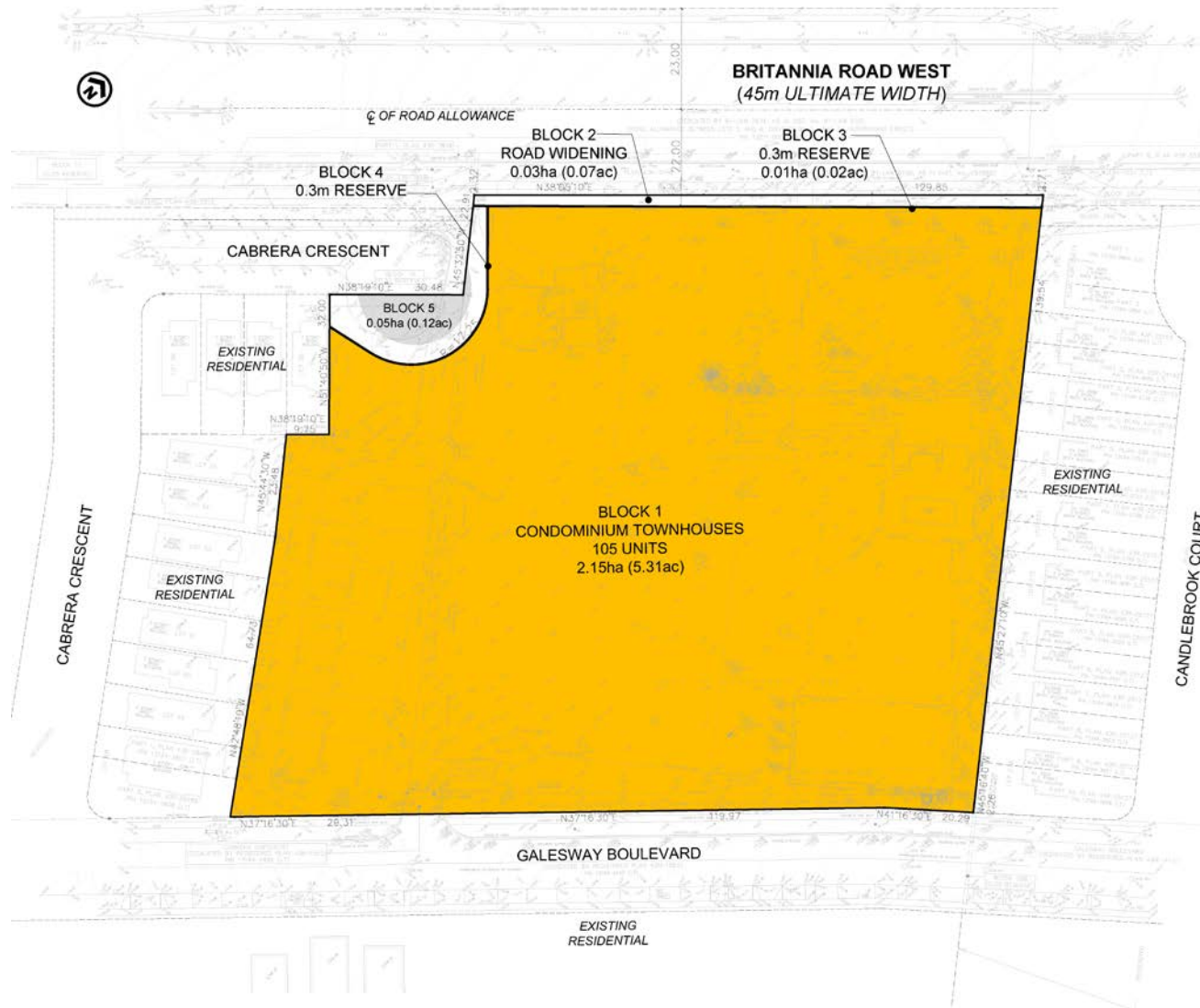


Figure 3 – Existing Plan of Subdivision 43M-1563 Mattamy Homes (Country Club)



### Figure 4 – Analysis of Current Land Ownership

Figure 5 – Proposed Draft Plan of Subdivision (File T-M20001 W6)



## History

In November 2002, Council executed a Servicing Agreement under File T-M98012 (Mattamy (Country Club) Ltd.), which deeded Lots 60 to 69 and Block 70 on to the City (existing Plan of Subdivision 43M-1563 - see Figure 3), to be held in escrow until such time that the existing temporary turning bulb was extended to connect to Galesway Boulevard, and the lands could be developed for detached homes.

In addition, Blocks 71, 74 and 75 on Plan 43M-1563 (see Figure 3) were deeded gratuitously to the City as partial road blocks to be established as Public Highway (namely Cabrera Crescent extension). The balance of the road and municipal services were to be constructed to Galesway Boulevard as part of the future development to the east (namely the subject lands - 1240 to 1310 Britannia Road West). The Servicing Agreement for Plan 43M-1563, further required the dedication of lands located south of Block 75 to the City and have subsequently been established as Public Highway (see Figure 4).

On October 24, 2019 the lands known municipally as 1240 to 1310 Britannia Road West were purchased by National Homes (1240 Britannia) Incorporated. In consultation with Mattamy (Country Club) Ltd., a zoning by-law amendment application and subdivision application were made to the City on March 31, 2020 under Files OZ 20/004 W6 and T-M20001 W6. The applications include lands currently owned and held in escrow by the City (see Figure 4).

Under Section 51(16) of the *Planning Act*, only the landowner may submit a subdivision application for draft plan approval. A

portion of the lands included in the subdivision application (see Figure 4) are presently owned by the City, and an amendment is required to Schedule 10 of Mississauga Official Plan to correspond to what is contemplated by the draft plan of subdivision. Therefore, the application under File T-M20001 W6 is premature and is being held in abeyance until: a decision is made by Planning and Development Committee to approve the proposed zoning by-law amendment application under File OZ 20/004 W6; the applicant acquires ownership of all the lands which are to be included within the draft plan of subdivision; and, a City initiated technical official plan amendment is implemented to Schedule 10 of Mississauga Official Plan. The following matters must then be addressed prior to the City being able to proceed with the processing and approval of the associated draft plan of subdivision application under File T-M20001 W6 (see Figure 5).

1. A draft reference plan must be prepared by the applicant (National Homes) to identify the limits of the lands located south of Block 75 (see Figure 4), that were dedicated and established as public highway, namely Cabrera Crescent, as part of Plan 43M-1563.
2. The Realty Services Division will order an appraisal to value Blocks 71, 74, 75 and the lands south of Block 75, as part of Plan 43M-1563 (see Figure 3), in order to establish a purchase price for the surplus lands. Subsequent to receiving the appraised values of Blocks 71, 74, 75 and the lands south of Block 75, a purchase and sale agreement will be agreed upon between the applicant and the Legal Services/Realty Services Division. A report will be prepared by Realty Services for consideration at General Committee,

to enable Blocks 71, 74, and 75 to be declared surplus and to close, by by-law and declare surplus, the lands south of Block 75. The report will recommend the approval of the purchase and sale agreement.

3. The Transportation and Works Department will prepare the by-law to stop up and close the lands south of Block 75 (see Figure 4).
4. Applicant to ask City to amend the existing Development Agreement and Servicing Agreement to facilitate the execution of the Agreement of Purchase and Sale to transfer Blocks 71, 74, 75 and the lands south of Block 75 to National Homes (see Figure 3).
5. Realty Services and Legal Services will administer the reconveyance of Lots 60 to 69 and Block 70 on Plan 43M-1563 (see Figure 4), currently being held in escrow by the City of Mississauga to Mattamy (Country Club) Limited.
6. The Planning and Building Department will prepare a by-law to deregister Lots 60 to 69 and Blocks 70, 71, 74, 75 and the lands south of Block 75 on Plan 43M-1563 (see Figure 3), to be passed by Council.
7. The applicant will amend the draft plan of subdivision under File TM-20001 W6 to include the all of the lands included in the subdivision, including the remainder of the lands to be dedicated to the City to terminate Cabrera Crescent with a cul-de-sac that meets City standards.

Once steps 1-7 have been completed, a report on the draft plan of subdivision will be brought forward to a subsequent Planning and Development Committee meeting.

## 16. Conclusions

In conclusion, City staff has evaluated the application to permit 105 townhomes against the *Provincial Policy Statement*, the *Growth Plan for the Greater Golden Horseshoe*, Region of Peel Official Plan and Mississauga Official Plan.

The application is seeking to intensify an underutilized parcel within the East Credit Neighbourhood Character Area in accordance with the residential Medium Density Designation of MOP. The proposal is compatible with adjacent uses and provides for a built form that supports a mix of housing types, tenures and at varying price points to accommodate households.

Staff are of the opinion that the applications are consistent with and conform to Provincial, Region and City planning instruments. Staff has no objection to the approval of this rezoning application and City initiated technical official plan amendment subject to the recommendations provided in the staff report.