

City of Mississauga

Corporate Report



<p>Date: March 4, 2022</p> <p>To: Chair and Members of Planning and Development Committee</p> <p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building</p>	<p>Originator's files: OZ 19/020 W11 T-M19007 W11</p> <hr/> <p>Meeting date: March 28, 2022</p>
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Subject

RECOMMENDATION REPORT (WARD 11)

Rezoning and Draft Plan of Subdivision applications to permit 260 detached and 62 semi-detached dwellings, a public park, a stormwater management block and to retain the existing heritage house all on public roads
1200 Old Derry Road, north of Highway 401, south of Old Derry Road, east of Creditview Road, west of Second Line West
Owner: Hanlon Glen Homes Inc., and Simqua Developments Inc.
Files: OZ 19/020 W11 and T-M19007

Recommendation

1. That City Council direct Legal Services, representatives from the appropriate City Departments and any necessary consultants to attend the Ontario Land Tribunal hearing on the subject applications under Files OZ 19/020 W11 and T-M19007 W11, Hanlon Glen Homes Inc., and Simqua Developments Inc., 1200 Old Derry Road to permit 260 detached and 62 semi-detached dwellings, a public park, stormwater management block and to retain the existing heritage house all on public roads, in support of the recommendations outlined in the report dated March 4, 2022 from the Commissioner of Planning and Building, that concludes that the proposed rezoning and draft plan of subdivision are not acceptable from a planning standpoint and should not be approved at this time.
2. That City Council provide the Planning and Building Department with the authority to instruct Legal Services on modifications to the position deemed necessary during or before the Ontario Land Tribunal hearing process, however if there is a potential for settlement a report shall be brought back to Council by Legal Services.

Executive Summary

- The applications are to change the zoning by-law and permit a plan of subdivision to allow 260 detached and 62 semi-detached dwellings, a public park, a stormwater management block and to retain the 2 existing heritage houses, all on public roads
- The rezoning and draft plan of subdivision applications were appealed to Ontario Land Tribunal (OLT) by the applicant for non-decision. A case management conference was held on November 8, 2021 and a second case management conference has been scheduled for April 19, 2022
- Staff require direction from Council to attend any OLT proceedings which may take place in connection with the applications and in support of the recommendations outlined in this report
- The applications are recommended for refusal at this time due to the lack of sufficient technical information required to properly evaluate the proposed development
- If these applications should be approved by OLT, the Tribunal will be requested to apply an "H" holding provision to the lands until outstanding technical requirements are addressed and any required agreements executed

Background

A public meeting was held by the Planning and Development Committee (PDC) on September 28, 2020, at which time an Information Report

(Item 4.1 <https://pub-mississauga.escribemeetings.com/filestream.ashx?DocumentId=4614> was received for information.

Recommendation PDC-0034-2020 was then adopted by Council on October 14, 2020

1. That the report dated September 4, 2020, from the Commissioner of Planning and Building regarding the applications by Hanlon Glen Homes Inc. and Simqua Developments Inc. to permit 260 detached and 62 semi-detached dwellings, a public park, a stormwater pond and to retain the existing heritage house, under Files OZ 19/020 W11 and T-M19007 W11, 1200 Old Derry Road, be received for information.

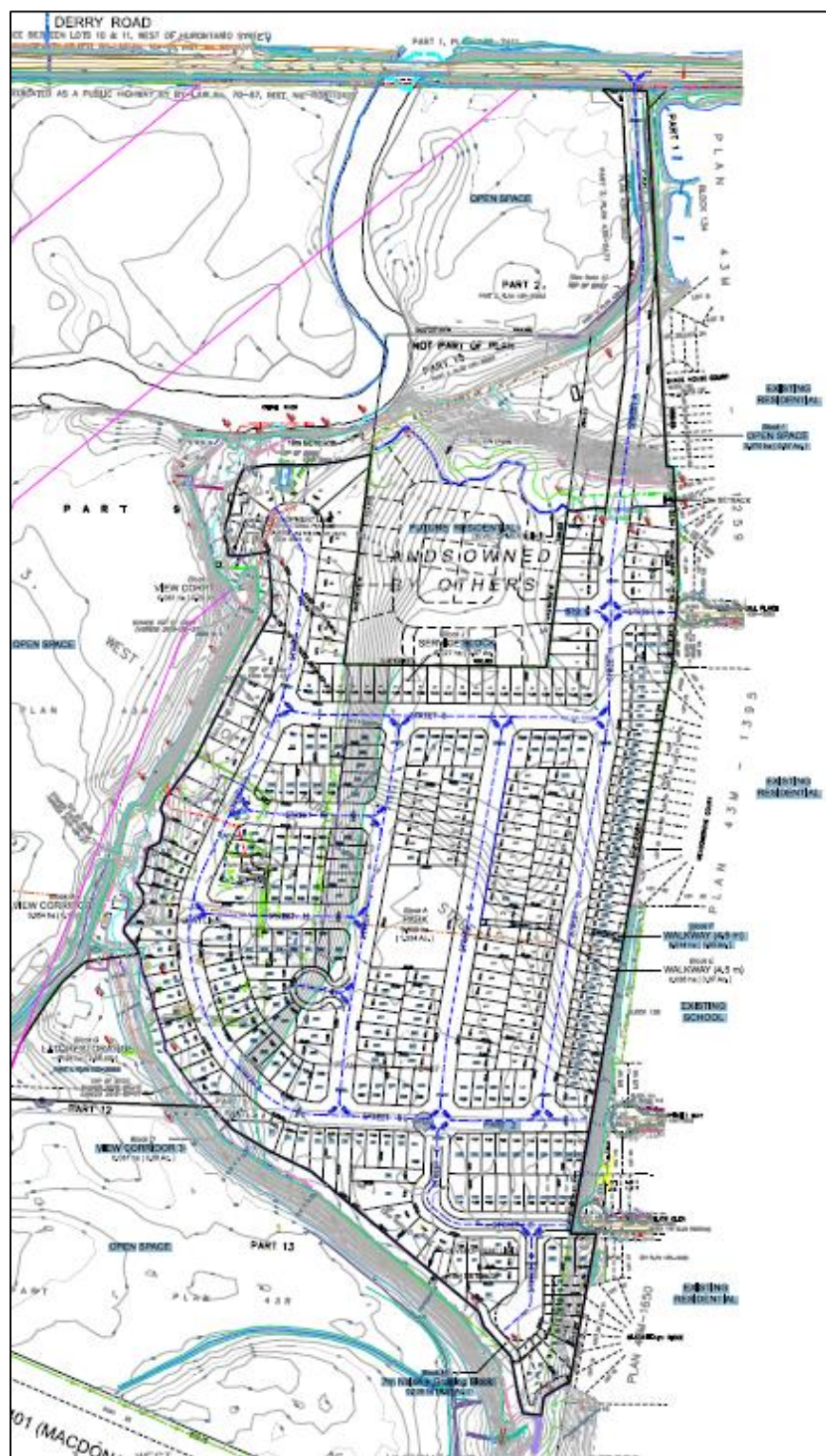
On February 8, 2021, the owner appealed the applications to the OLT due to non-decision and a case management conference was held on November 8, 2021. A second case management conference date has been scheduled for April 19, 2022. The purpose of this report is to make a recommendation to Planning and Development Committee (PDC) on the applications and to seek direction with respect to the appeal.

There were, and remain, some technical matters that need to be resolved before the Planning and Building Department can make a recommendation on the applications. Given the amount of time since the public meeting, full notification was provided.

Originator's files: OZ 19/020 W11 and T-M19007



Aerial Image of 1200 Old Derry Road



Proposed Draft Plan of Subdivision

Comments

REVISED DEVELOPMENT PROPOSAL

The applicant has made some minor modifications to the proposed zoning and draft plan of subdivision applications including:

- The park block was squared
- A municipal walkway was added on the east side of Street A
- A new lot was created to house the 2 heritage homes
- The draft zoning by-law was amended to permit 2 dwellings on 1 lot and to allow medical/dental office uses in addition to the detached dwelling use on the lot (*)
- Street F was shifted west to increase the depth of lots on Street E
- The lots that flanked Street B now face Street B
- 2 blocks between Street H and Street B have been combined into 1 block on a cul-de-sac
- Changes to the proposed lot frontages and depths along Street B
- Minor lotting adjustments have been made to the lots southwest of Streets A and D

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 applications on February 4, 2020. A community meeting was held by Ward 11 Councillor, George Carlson on February 2, 2021. Over 280 people attended the meeting and 148 residents provided written submissions. Additional community meetings were held on November 1, 2021, with 90 residents, and on February 16, 2022 with 80 residents participating. The issues raised by residents have been summarized in Section 1 of Appendix 2. Supporting studies were posted on the City's website at <http://www.mississauga.ca/portal/residents/development-applications>.

The statutory public meeting was held on September 28, 2021. Eleven members of the public made deputations regarding the applications. Responses to the issues raised at the public meeting and ward meetings, and from correspondence received can be found in Section 1 of 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.

The applications are generally consistent with the *Provincial Policy Statement* and conform to the *Growth Plan for the Greater Golden Horseshoe*, and the Region of Peel Official Plan but more information is required to ensure conformity with Mississauga Official Plan.

While the proposed uses are permitted under the official plan, additional information is required to determine the appropriate zoning and zone standards for the lands. Additional information is also required to evaluate the associated draft plan of subdivision application. A detailed planning analysis is found in Appendix 2.

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 consistent with the *Provincial Policy Statement* and conform to the *Growth Plan for the Greater Golden Horseshoe*, the Region of Peel Official Plan and Mississauga Official Plan. The proposed rezoning and draft plan of subdivision applications are not acceptable from a planning standpoint and should not be approved at this time.

Should these applications be approved by the OLT, staff will recommend that an “H” holding provision be applied to the lands to ensure that all technical information be provided and that the appropriate agreements be completed by the applicant. Should the required technical information be received and found acceptable prior to the OLT hearing, staff will bring a supplementary recommendation report to Planning and Development Committee in order to receive direction on how to proceed with respect to the OLT hearing.

Attachments

Appendix 1: Information Report

Appendix 2: Detailed Planning Analysis



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

Prepared by: Andrea Dear MCIP, RPP, Development Planner