

# City of Mississauga

# Corporate Report



<p>Date: February 11, 2022</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 files: OZ 20-14 W11 and T-M20003 W11</p>
	<p>Meeting date: March 7, 2022</p>

## Subject

### **RECOMMENDATION REPORT (WARD 11)**

**Official Plan Amendment, Rezoning and Draft Plan of Subdivision applications to permit a six storey condominium apartment building and five detached homes**

**6616 McLaughlin Road, west side of McLaughlin Road, north of Navigator Drive**

**Owner: City Park (McLaughlin) Inc.**

**Files: OZ 20-14 W11 and T-M20003 W11**

## 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 File No. OZ 20-14 W11 and T-M20003 W11, City Park (McLaughlin) Inc., 6616 McLaughlin Road to permit a six storey condominium apartment building and five detached homes in support of the recommendations outlined in the report dated February 11, 2022, from the Commissioner of Planning and Building, that concludes that the proposed official plan amendment, rezoning and draft plan of subdivision are acceptable from a planning standpoint and should be approved subject to the provisions outlined in Appendix 2, and that the draft plan of subdivision under File T-M20003 W11, be approved subject to the conditions referenced in the staff report dated February 11, 2022 from the Commissioner of Planning and Building.
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.
3. That City Council classify the subject lands as a "Class 4 Area" in accordance with the Environmental Noise Guidelines – Stationary and Transportation Sources – Approval and Planning (NPC – 300).

4. That the applicant agree to satisfy all the requirements of the City and any other external agency concerned with the development.
5. That 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 the height and FSI shall not increase, and that landscape buffers are not reduced.

## Executive Summary

- The applications are to amend the policies of the official plan, change the zoning by-law and permit a plan of subdivision to allow a six storey condominium apartment building and five detached dwellings
- The official plan amendment, rezoning and draft plan of subdivision applications have been appealed to Ontario Land Tribunal (OLT) by the applicant for non-decision. A pre-hearing conference occurred on August 12, 2021 and a hearing date has been scheduled for March 15, 2022
- The applicant has made minor revisions to the proposal to address issues raised at the Public Meeting and by staff, including increased setbacks to the underground parking garage and changes to the building articulation
- It has been concluded that the proposed development is supportable from a planning perspective
- An approval by OLT should be subject to an "H" holding symbol to address outstanding technical requirements and to allow for a Section 37 Agreement
- 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
- Staff are satisfied with the changes to the proposal and find it 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 February 16, 2021, at which time an Information Report

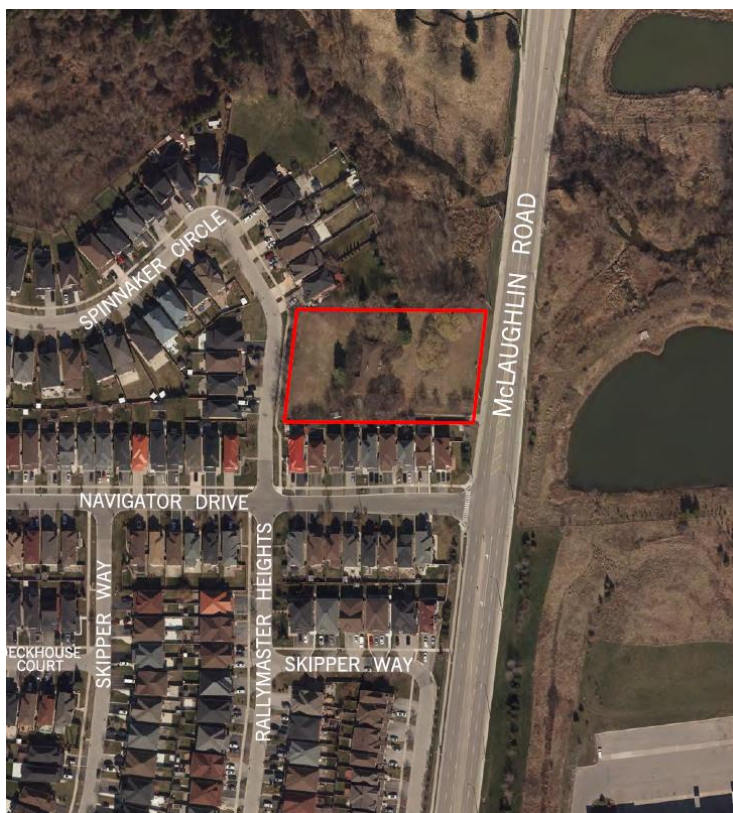
(<https://pub-mississauga.escibemeetings.com/filestream.ashx?DocumentId=9481>) was received for information. Recommendation PDC-0013-2021 was then adopted by Council on March 3, 2021.

### PDC-0013-2021

1. That the report dated January 22, 2021, from the Commissioner of Planning and Building regarding the applications by City Park (McLaughlin) Inc. to permit a six storey condominium apartment building and five detached homes, under Files OZ 20/014 and T-M20003 W11, 6616 McLaughlin Road, be received for information.

On December 30, 2020 the owner appealed the applications to OLT due to non-decision and the first pre-hearing conference was held on August 12, 2021 and the hearing is scheduled for March 15, 2022. The purpose of this report is to make a recommendation to Planning and Development Committee on the application and to seek direction with respect to the appeal.

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



Aerial Image of 6616 McLaughlin Road

## 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 121 units to 120 units as a result of changes to the building articulation in order to meet the angular plane requirements
- Setbacks to the underground parking garage have been increased from 2.0 m (6.6 ft.) to 3.0 m (9.8 ft.) to allow for enhancements to the landscape buffer on the south property line

- The location of the front entrance has been shifted south to consolidate the pedestrian and vehicular access and the grade at the entrance has been increased to meet the requirements of Credit Valley Conservation
- The direction of the underground parking ramp has been changed to allow the ramp to be located within the garage in order to reduce vehicular conflict and to allow for a 16% slope on the ramp

## COMMUNITY ENGAGEMENT

Notice signs were placed on the subject lands advising of the proposed official plan and zoning change. All property owners within 120 m (393 ft.) were notified of the applications on September 15, 2020. A community meeting was held by Ward 11 Councillor George Carlson on January 26, 2021. Approximately 75-80 people attended the meeting. 57 written submissions were received. Supporting studies were posted on the City's website at <http://www.mississauga.ca/portal/residents/development-applications>.

The public meeting was held on February 16, 2021. Seven members of the public made deputations regarding the applications. Responses to the issues raised at the public 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 applicant is proposing 5 single detached homes and a 6 storey condominium apartment building with 120 dwelling units and 2 levels of parking (one at ground level and one below). An official plan amendment is required to permit the apartment building and the proposed height of 6 storeys whereas the maximum permitted height is 4 storeys. A zoning by-law amendment is also required to change the zone from **R1** (Residential 1) to **H-R10 – Exception** (Detached Dwellings – Garage Control Lots – Exception) for the detached dwelling lots and **H-RA2 - Exception** (Apartments) for the apartment building.

The property is located on the west side of McLaughlin Road, north of Navigator Drive in the Meadowvale Village Character Area. The subject site is a remnant parcel that is bound by City owned natural area to the north, McLaughlin Road on the east, a row of single detached homes that front onto Navigator Drive on the south and Spinnaker Crescent to the West. The proposed single detached homes will front onto Spinnaker Crescent, completing that street. The apartment building is proposed to front McLaughlin Road.



A detailed Planning Analysis is found in Appendix 2. The applications are 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. An official plan amendment is required to change the designation from **Residential Low Density II** to **Residential High Density**.

A draft plan of subdivision and site plan approval are also required in order to develop the lands. The evaluation of the proposed rezoning was analyzed using the following criteria:

- Are the policies and principles of Mississauga Official Plan maintained by this project?
- Is the proposal compatible with the existing and planned character of the area given the proposed massing, setbacks, landscape buffers, site access and height?
- Are the proposed noise mitigation measures appropriate and adequate?
- Are the proposed zoning by-law categories and exception standards appropriate?
- Resolution of the outstanding environmental questions raised by the Credit Valley Conservation and the Community Services Department with respect to the how the proposal relates to the significant valleylands and the purpose of the proposed conservation buffer
- Is the proposed 5 m (16.4 ft.) conservation buffer in private ownership appropriate and adequate to protect the natural area?

The proposed official plan amendment and zoning by-law amendment have been found acceptable, based upon the following:

- The proposal represents intensification that is compatible with the neighbourhood context and conforms to existing MOP policies with respect to compatibility and the provision of a range of housing types for residents
- The proposal provides an 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 Class 4 Noise designation is appropriate to permit this development
- 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.

## Engagement and Consultation

A community meeting was held on January 26, 2021 and there were approximately 80 residents present. The issues raised by the residents have been summarized in section 1 of Appendix 2.

## 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 has been designed to be sensitive to the existing and planned character of the neighbourhood and provides an appropriate transition to adjacent to residential uses. The proposed official plan official plan amendment, rezoning and draft plan of subdivision are acceptable from a planning standpoint and should be approved, subject to the conditions contained in this report.

As part of the OLT proceedings, a Section 37 agreement will be requested to be included as a condition of development in the implementing zoning by-law.

Appendix 1: Information Report

Appendix 2: Detailed Planning Analysis

Appendix 3: Conditions of Draft Plan Approval



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

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