

City of Mississauga
Corporate Report



<p>Date: October 28, 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: OPA 22-011 W10, OZ 20/021 W10, and T-M20005 W10</p>
	<p>Meeting date: November 21, 2022</p>

Subject

PUBLIC MEETING RECOMMENDATION REPORT (WARD 10)

Official Plan Amendment, Rezoning and Draft Plan of Subdivision applications to permit 46 townhomes (42 back to back townhomes and 4 condominium townhomes) on condominium roads

5150 Ninth Line, west side of Ninth Line, north of Eglinton Avenue West

Owner: Mattamy (5150 Ninth Line) Limited

Files: OPA 22-011 W10, OZ 20/021 W10, and T-M20005 W10

Recommendation

1. That the applications under Files OZ 20/021 W10 and OPA 22-011 W10, Mattamy (5150 Ninth Line) Limited, 5150 Ninth Line to amend Mississauga Official Plan to **Residential Medium Density**; to change the zoning to **RM6 - exception** (Townhouses on a CEC Road – Exception), **RM11- exception** (Back to Back Townhouses on a CEC Road – Exception) and **G** (Greenlands) to permit 42 back to back townhomes and 4 condominium townhomes on condominium roads, be approved in conformity with the provisions outlined in Appendix 2 of the staff report dated October 28, 2022 from the Commissioner of Planning and Building.
2. That Council acknowledges that the Commissioner of Planning and Building, in accordance with the Commissioner's delegated authority, is contemplating imposing the draft conditions of approval outlined in Appendix 3 attached to the staff report dated October 28, 2022 from the Commissioner of Planning and Building for the draft plan of subdivision under File T-M20005 W10.
3. That the applicant agree to satisfy all the requirements of the City and any other external agency concerned with the development.

4. 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.
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, number of dwelling units and FSI shall not increase.

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 42 back to back townhomes and 4 condominium townhomes on condominium roads.
- Since the Public Meeting, the applicant has obtained Ministry of Municipal Affairs and Housing approval of an application to amend the Parkway Belt West Plan and subsequently filed an Official Plan Amendment to bring the City's Official Plan into conformity with the Parkway Belt West Plan.
- The applicant has made minor modifications to the proposal which include reducing the width of the western-most condominium road and eliminating the western-most street townhome unit to accommodate a multi-use trail adjacent to the future 407 Transitway.
- 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 May 31, 2021, at which time an Information Report ([Planning and Development Committee - May 31, 2021 \(escribemeetings.com\)](https://www.escribemeetings.com)) was received for information for the rezoning and draft plan of subdivision applications. Recommendation PDC-0035-2021 was then adopted by Council on June 16, 2021.

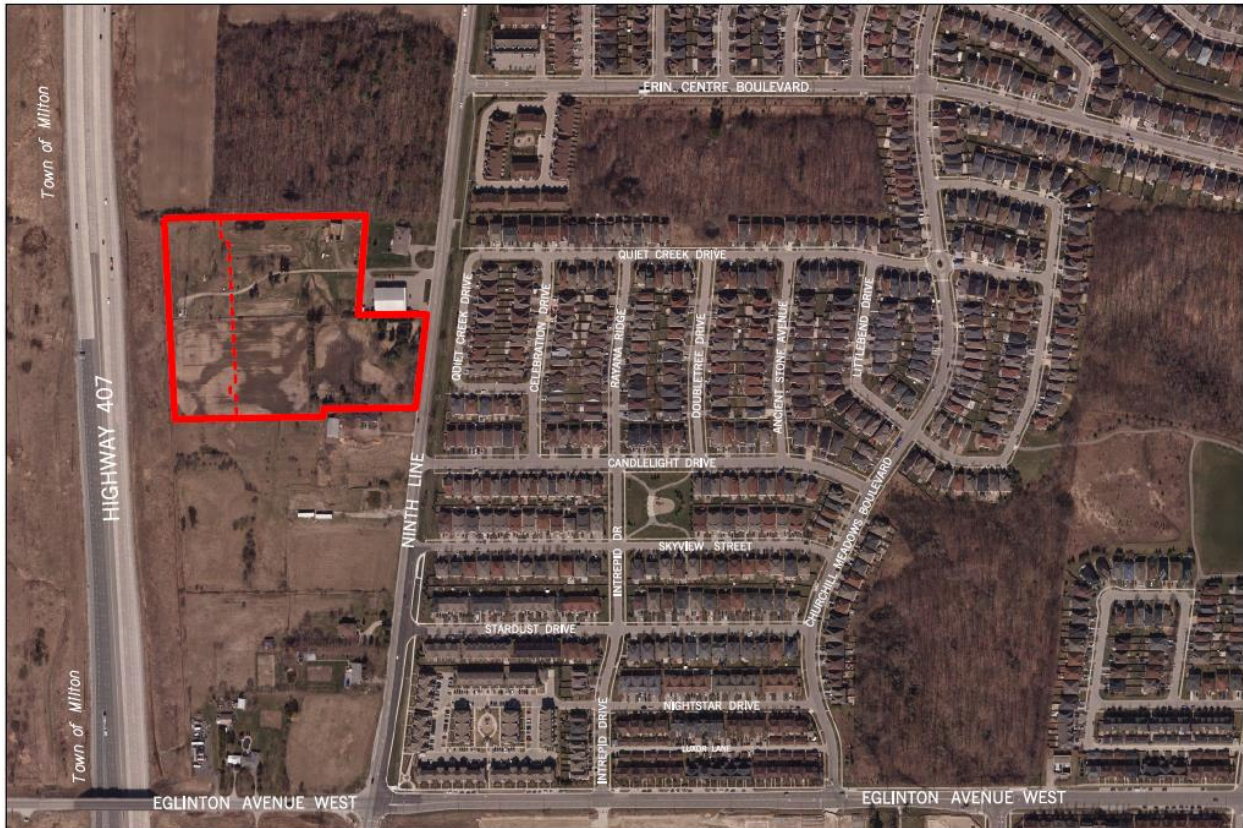
That the report dated May 7, 2021, from the Commissioner of Planning and Building regarding the applications by Mattamy (5150 Ninth Line) Limited to permit 42 back to back townhomes and 5 condominium townhomes under Files OZ 20/021 W10 and T-M20005 W10, 5150 Ninth Line, be received for information.

Since the Public Meeting, the applicant submitted an official plan amendment application on April 11, 2022. This amendment to the official plan from **Parkway Belt West** to **Residential Medium Density** is required to implement a recent Parkway Belt West Plan Amendment that was approved by the Ministry of Municipal Affairs and Housing. The zoning by-law is also proposed to be amended from **PB1** (Parkway Belt) to **RM6 - exception** (Townhouses on a CEC Road – Exception) and **RM11- exception** (Back to Back Townhouses on a CEC Road –

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Exception) to implement this Parkway Belt West Plan Amendment. A Draft Plan of Subdivision is required to create one residential block, one natural heritage buffer block, two multi-use trail blocks, one MTO buffer block and one transitway block.

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 and the new official plan amendment, full notification was provided.



Aerial Image of 5150 Ninth Line (Phase 1 and Phase 2 Lands)

Comments

REVISED DEVELOPMENT PROPOSAL

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

- Introducing a 3.5 m (11.5 ft.) multi-use trail along the western edge of the property which connects the proposed development and future developments to the south with Churchill Meadows Community Centre
- Reducing the proposed right of way width of condominium Road "D" from 7 m (23 ft.) to 6.6 m (22.3 ft.)

- Removing one unit to increase the setback and improve the interface between the proposed multi-use trail and townhomes

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 rezoning and subdivision applications on December 23, 2020, and of the official plan amendment application on May 4, 2022. A community meeting was held by Ward 10 Councillor, Sue McFadden, on June 24, 2019. The community meeting was held for the proposed applications at 5150 Ninth Line (Mattamy) and 5080 Ninth Line (Your Home Developments). Supporting studies were posted on the City's website at <http://www.mississauga.ca/portal/residents/development-applications>.

The public meeting for the proposed development was held on May 31, 2021. No comments were made at the public meeting and no comments have been received by the Planning and Building Department.

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 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 **Parkway Belt** to **Residential Medium Density**.

The proposed development is the second phase of an approved townhome development at 5150 Ninth Line and represents a continuation and completion of the overall concept plan for the property. The proposal is an appropriate form of development along the Ninth Line corridor and is consistent with the Shaping Ninth Line planning study and approved Ninth Line Character Area policies. The proposed development accommodates the approved 407 Transitway

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alignment and allows for the continuation of the multi-use trail network starting at the Churchill Meadows Community Centre, south through the subject lands.

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.

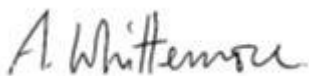
Conclusion

In summary, the proposed development has been designed to address the existing context and planned character of the Ninth Line corridor and is consistent with the Ninth Line Character Area policies. The proposed development adheres to the City's Shaping Ninth Line Urban Design Guidelines, protects for the future 407 Transitway and contributes to the planned Ninth Line multi-use trail network. The proposed official plan amendment, rezoning and draft plan of subdivision 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
- Appendix 3: City Conditions of Draft Plan Approval
- Appendix 4: Draft Plan of Subdivision



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

Prepared by: Matthew Shilton, Development Planner