

Recommendation Report Detailed Planning Analysis

Owner: Mattamy (5150 Ninth Line) Limited

5150 Ninth Line (Phase 2)

Table of Contents

1.	Community Comments.....	2
2.	Updated Agency and City Department Comments	2
3.	<i>Provincial Policy Statement, 2020 (PPS) and the Growth Plan for the Greater Golden Horseshoe (Growth Plan) 2019 and Amendment No. 1 (2020)</i>	4
4.	Consistency with PPS	5
5.	Conformity with Growth Plan.....	5
6.	Region of Peel Official Plan.....	6
7.	Mississauga Official Plan (MOP).....	6
8.	Revised Site Plan and Elevations.....	12
9.	Zoning.....	14
10.	Bonus Zoning.....	15
11.	Site Plan	15
12.	Green Development Initiatives	15
13.	Draft Plan of Subdivision	16
14.	Conclusions	16

1. Community Comments

Comments from the public were generally directed towards the proposed density and increased traffic on Ninth Line. Below is a summary and response to the specific comments heard.

Comment

Concern that Ninth Line cannot accommodate the current traffic volumes and the proposed development will increase traffic further.

Response

The City of Mississauga has completed a Municipal Class Environmental Assessment to study the existing and future transportation needs of the Ninth Line corridor. The study concluded that widening of Ninth Line from a two lane road to a four lane multi-modal road will support future growth along the corridor.

Refer to Transportation and Works comments on the Traffic Impact Study, which has been found acceptable.

Comment

Concern that the development is too dense.

Response

The proposed density is similar to other medium density townhome developments in Mississauga.

The City established a vision for a medium density residential community, with a variety of housing types through the

Shaping Ninth Line planning study. The proposed development is consistent with the Medium Density residential policies in the Official Plan and proposes only minor adjustments from the City's Zoning By-law regulations for condominium and back-to-back townhomes.

2. Updated Agency and City Department Comments

UPDATED AGENCY AND CITY DEPARTMENT COMMENTS

The applications were circulated to all City departments and commenting agencies on December 18, 2020, with additional circulations that included the Official Plan Amendment application on April 21, 2022 and August 22, 2022. A summary of the comments are contained in the Information Report attached as Appendix 1. Below are updated comments.

Transportation and Works

Technical reports, plans and drawings have been submitted to ensure that engineering matters related to noise, grading, servicing, stormwater management, traffic and environmental compliance can be satisfactorily addressed, comply with City requirements and confirm the feasibility of the proposal from an engineering standpoint.

Stormwater

The Functional Servicing Report (FSR) and Stormwater Management Report prepared by Urbantech Engineering, dated February 2022 indicates that an increase in stormwater runoff will occur with the development of the site. In order to mitigate the change in impervious area from the proposed

development and/or the impact to the receiving municipal drainage system, on-site stormwater management controls for the post-development discharge are required.

The applicant has demonstrated a satisfactory stormwater servicing concept. On-site infiltration galleries are proposed. Further details related to the infiltration galleries proposed to meet the water balance requirement, as well as the overall refinement of the stormwater management report can be addressed prior to Site Plan approval.

Traffic

The Traffic Impact Study (TIS) provided by C.F. Crozier & Associates Inc., dated August 2022, complies with the City's TIS guidelines and has been found satisfactory. The study concludes that the proposed development is anticipated to generate 21 (4 in, 17 out) and 23 (15 in, 8 out) two-way site trips for the weekday AM and PM peak hours in 2024, respectively.

The study area intersections are expected to operate at acceptable levels of service with minimal impact to existing traffic conditions with the additional traffic generated by this proposal.

Environmental Compliance

Based on the Phase One Environmental Site, dated February 11, 2019; Phase Two Environmental Site Assessment, dated October 16, 2019; and, the Certification Letter for Conveyance Lands dated August 15, 2022, all prepared by DS Consultants Ltd., the site is suitable for the proposed use. No further investigation is required at this time.

Noise

The Environmental Noise Assessment prepared by YCA Engineering Ltd., dated August 2022 evaluates the potential impact both to and from the proposed development and recommends mitigation measures to reduce any negative impacts. Noise sources that may have an impact on this development include road and rail traffic from the railway west of Highway 407. The submitted noise assessment confirms that noise mitigation will be required, including acoustical barriers for some areas and ventilation requirements such as provisions for air conditioning, the details of which will be confirmed through the site plan and building permit processes.

Engineering Plans/Drawings

New municipal infrastructure will be required to support this development including land dedications, easements, and right-of-way infrastructure (multi-use trail). The review of the detailed engineering drawings, including but not limited to grading, servicing, drainage features and supporting reports will be further evaluated as part of the municipal infrastructure detailed design, which will be addressed through a Subdivision Agreement prior to registration of the proposed development.

Transportation and Works is satisfied that the information reviewed to date is satisfactory and complies with City requirements. Any outstanding items required in support of this development will be addressed through draft plan conditions, the subdivision agreement, and/or the site plan review process.

Community Services Department

The proposed development is adjacent to Churchill Meadows Community Centre and Park (P-459), zoned **G2** and **OS1**. This 20.2 ha (50.0 ac.) park contains a woodlot, trails, play equipment, soccer pitches and a community centre, with potential for enhancements in future park development phases.

Park Planning recommends the woodlot buffer be dedicated gratuitously to the City as Greenlands for conservation purposes. Should this application be approved, hoarding and fencing is required along the boundary of Churchill Meadows Park (P-459). Additionally, securities will be required for greenbelt clean-up, restoration and protection, hoarding, and fencing.

Furthermore, Blocks 4 and 5 are intended to be utilized for a future multi-use trail and Transitway Buffer. These blocks will be dedicated to the City and the multi-use trail will be constructed by the applicant.

Prior to the issuance of building permits for each lot or block cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act and in accordance with the City's Policies and Bylaws.

Region of Peel

All the waste collection requirements have been satisfied in accordance with the Waste Collection Design Standards Manual. Therefore, the Region of Peel will provide curbside collection of garbage, recyclable materials, household

organics and yard waste. Visitor parking is to be restricted on collection days. At the site plan approval stage, details of the visitor parking restriction must be shown and labelled on the site plan drawing prior to approval.

School Accommodation

In comments, dated January 6, 2021, the Dufferin-Peel Catholic District School Board indicated that there is adequate capacity to accommodate students generated by these applications.

In comments, dated January 12, 2021, the Peel District School Board indicated that due to present school facilities, some students generated by these applications may have to be accommodated in temporary facilities or bused to schools in accordance with Peel District School Boards, transportation policy.

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

The Public Meeting Report dated May 7, 2021 (Appendix 1) provides an overview of relevant policies found in the PPS. The PPS includes policies that allow for a range of intensification opportunities and appropriate development standards, including:

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.

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.

Section 1.1.3.6 of the PPS states that new development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The subject site and proposal represents an opportunity to modestly intensify and increase the range of housing in the area. 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. As outlined in this report, the proposed development supports the general intent of the PPS.

5. Conformity with Growth Plan

The Growth Plan was updated May 16, 2019, in order to support the "More Homes, More Choice" government action plan that addresses the needs of the region's growing population. The new plan is intended, amongst other things, to increase the housing supply and make it faster and easier to build housing. Pertinent changes to the Growth Plan include:

- The Vision for the Growth Plan now includes the statement that the Greater Golden Horseshoe will have sufficient housing supply that reflects market demand and what is needed in local communities.
- Section 2.2.2.3 requires municipalities to encourage intensification generally throughout the delineated built-up area. Previous wording referred to encouraging intensification to generally achieve the desired urban structure.

- Section 2.2.2.3 also directs municipalities to identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas.

The PPS and Growth Plan indicate that development must be governed by appropriate standards including density and scale.

The proposed development conforms to the Growth Plan as it provides for intensification within a delineated built-up area, in a manner which is consistent with the existing and planned character of the immediate area.

The policies of the Greenbelt Plan are not applicable to these applications.

The policies of the Parkway Belt West Plan are applicable to these applications. The subject lands were previously included in the Parkway Belt West Plan and designated 'Road' and 'Inter-Urban Transit' within the 'Public Use Area' of the Plan. The applicant applied to amend the Parkway Belt West Plan and on January 21, 2022, the Ministry of Municipal Affairs and Housing approved Amendment Number 233 to the Plan, which removed a portion of the subject lands from the Plan. The applicant has subsequently filed an Official Plan Amendment to bring Mississauga Official Plan into conformity with the Parkway Belt West Plan.

6. Region of Peel Official Plan

The proposed development does not require an amendment to the Region of Peel Official Plan. The subject property is located within the Urban System of the Region of Peel. General Objectives in Section 5.3.1 and General Policies in Section 5.5 direct development and redevelopment to the Urban System to achieve an intensified and compact form of development and provide a mix of land uses in appropriate areas that efficiently use land, services infrastructure and public finances while taking into account the characteristics of existing communities and infrastructure.

The proposed development conforms to the ROP as it is an appropriate form of development that efficiently uses land to contribute to housing choices in the neighbourhood.

7. Mississauga Official Plan (MOP)

The policies of Mississauga Official Plan (MOP) implement provincial directions for growth. MOP is generally consistent with the PPS and conforms with the Growth Plan, Greenbelt Plan, PBWP and ROP. An update to MOP is currently underway to ensure MOP is consistent with and conforms to changes resulting from the recently released Growth Plan, 2019 and Amendment No. 1 (2020).

The subject property is not located within a Major Transit Station Area (MTSA).

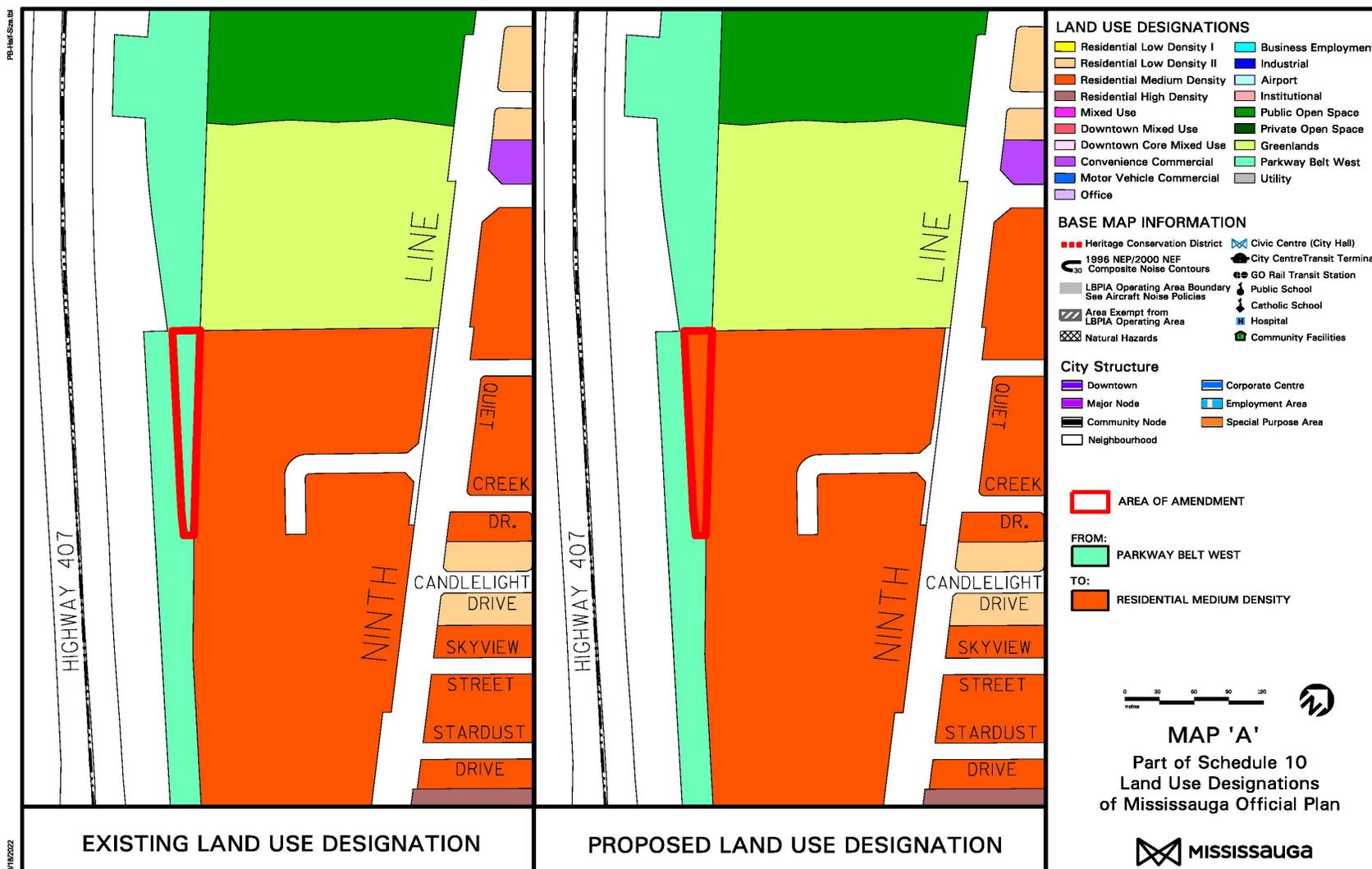
Existing Designations

The lands are located within the Precinct 5 (Community Park/Residential Area) of the Ninth Line Neighbourhood Character Area and are designated **Residential Medium Density** and **Parkway Belt West**.

In Precinct 5, the **Residential Medium Density** designation permits all forms of townhomes, low and mid-rise apartments, and at grade commercial uses on lands fronting onto Ninth Line. The permitted building height on the subject lands is three to six storeys.

Lands designated **Parkway Belt West** are governed by the provisions of the Parkway Belt West Plan. Once the Parkway Belt West Plan is amended, the land use designations shown on Reference Maps M1-M3 in MOP come into effect without amending MOP (Section 16.20.2.6.1). An Official Plan amendment is required because the development occupies land that is not designated in the applicable Reference Map, and because a portion of the lands are designated **Parkway Belt West** in Schedule 10 of MOP.

Ninth Line is identified as a Corridor in MOP.



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Excerpt of the Ninth Line Neighbourhood Character Area

Relevant Mississauga Official Plan Policies

The Information Report contained a detailed Official Plan policy chart outlining which policies were relevant to the review of the rezoning and draft plan of subdivision applications. The following policies are applicable in the review of the official plan amendment. In some cases, the description of the general intent summarizes multiple policies.

	General Intent
Chapter 11 General Land Use Designations	<p>Lands designated Residential Medium Density will permit the following uses:</p> <ul style="list-style-type: none"> a) All forms of townhouse dwellings (Section 11.2.5.5). <p>Lands designated Parkway Belt West will be governed by the provisions of the Parkway Belt West Plan (Section 11.2.13.1).</p>
Chapter 16 Neighbourhoods	<p>A significant amount of land in the Ninth Line area is designated Parkway Belt as per the Parkway Belt West Plan. Once the alignment of the 407 Transitway is finalized, lands no longer required for the Transitway may be removed from the Parkway Belt West Plan (PBWP) through amendment to the PBWP. Once the PBWP is amended, the land use designations shown on Reference Maps (M1-M3) will come into force and effect, without further amendment to this Plan.(Section 16.20.2.6).</p> <p>All development in the Ninth Line Neighbourhood Character Area will be designed to protect for, and support, the 407 Transitway and any related facilities. (Section 16.20.5.4).</p>
Chapter 19 Implementation	<p>Development applications will be evaluated and processed in accordance with the policies of this Plan, approved streetscape studies and design guidelines and other relevant City Council policies and Provincial policies. (Section 19.4.1).</p> <p>To provide consistent application of planning and urban design principles, all development applications will address, among other matters:</p> <ul style="list-style-type: none"> a) The compatibility of the proposed development to existing or planned land uses and forms, including the transition in height, density and built form; b) Conformity with the policies of this Plan; c) The sustainability of the development to support public transit and to be oriented to pedestrians; d) In circumstances where medium and high density residential uses are in proximity to developments of a lower density, measures, such as increased setbacks, sensitive building location, transition and design; and landscaping, may be required to ensure compatibility with the lower density designations; e) The adequacy of engineering services; f) The adequacy of community infrastructure; g) The adequacy of multi-modal transportation systems; h) The suitability of the site in terms of size and shape, to accommodate the necessary on site functions, parking, landscaping and on site amenities; i) The relationship of the proposed development to the street environment and its contribution to an effective and attractive public realm; j) The impact of the height and form of development, in terms of overshadowing and amenity loss, on neighbouring residential and park uses; k) Site specific opportunities and constraints; l) Sustainable design strategies; and m) Urban form and public health (Section 19.4.3).

	General Intent
	<p>This section contains criteria which requires an applicant to submit satisfactory planning reports to demonstrate the rationale for the proposed amendment as follows:</p> <ul style="list-style-type: none"> • the proposal would not adversely impact or destabilize the following: the overall intent, goals and objectives of the Official Plan; and the development and functioning of the remaining lands which have the same designation, or neighbouring lands; • that a municipal comprehensive review of the land use designation or a five year review is not required; • the lands are suitable for the proposed uses, and compatible with existing and future uses of surrounding lands; • there are adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed application; • a planning rationale with reference to Mississauga Official Plan policies, other relevant policies, good planning principles and the merits of the proposed amendment in comparison with the existing designation has been provided by the applicant. (Section 19.5.1)

Official Plan Amendment

The proposal requires an amendment to the Mississauga Official Plan Policies for the Ninth Line Neighbourhood Character Area, to change the designation on a portion of the property from **Parkway Belt West** to **Residential Medium Density** to permit 42 back to back townhomes and 4 condominium townhomes.

Planning staff have undertaken an evaluation of the relevant policies of the PPS, Growth Plan and MOP against this proposed development application.

The following is an analysis of the key policies and criteria:

Directing Growth

The subject site is located in the Ninth Line Character Area Character Area, on the west side of Ninth Line, north of Eglinton Avenue West and immediately south of a City owned Woodlot which forms part of the Churchill Meadows

Community Centre property. The Ninth Line Character Area contains the last remaining greenfield in Mississauga.

The subject site is designated **Residential Medium Density** and **Parkway Belt**. **Residential Medium Density** permits all forms of townhouse dwellings, and, in the Ninth Line Neighbourhood Character Area, low-rise and mid-rise apartment buildings are also permitted. Lands designated **Parkway Belt** are governed by the provisions of the Parkway Belt West Plan.

Compatibility with the Neighbourhood

Intensification within Neighbourhoods is to be compatible in built form and scale to surrounding development and will be sensitive to the existing and planned context. The site is located within the Ninth Line Neighbourhood Character Area on a Corridor with existing and planned transit services. A range of residential uses are permitted in the Character Area. The surrounding lands are designated **Residential Medium Density** to the east and south, which permits all forms of

townhouse dwellings, low-rise and mid-rise apartment buildings, **Greenlands** to the north which permits conservation, passive recreational activity and parkland, and **Parkway Belt** to the east, which permits uses governed by the Parkway Belt West Plan. The proposed amendment would result in lands that were previously designated **Parkway Belt West** being designated **Residential Medium Density** to permit 42 back to back townhomes and 4 condominium street townhomes.

Services and Infrastructure

Based on the comments received from the applicable City Departments and external agencies, the existing infrastructure is adequate to support the proposed development.

The Region of Peel has advised that there is adequate water and sanitary sewer capacity to service this site.

The site is currently serviced by the following MiWay Transit routes:

- Number 9 – Rathburn –Thomas having direct access to and from Churchill Meadows Community Centre and the City Centre Transit Terminal
- Number 35 – Eglinton – having direct access to and from Churchill Meadows Community Centre and Kipling Station (TTC)

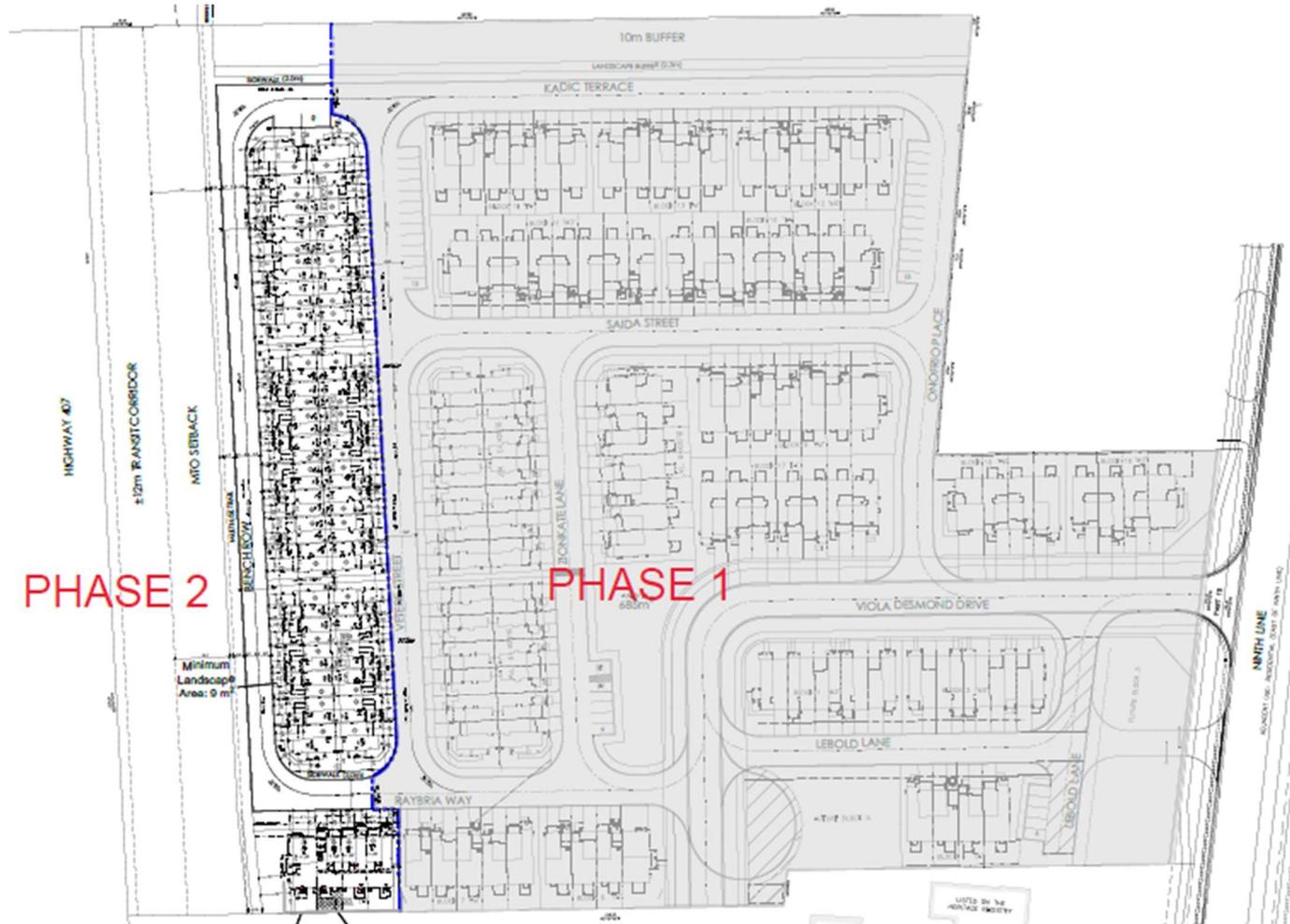
There is a transit stop on Ninth Line at Skyview Street within 200 m (656 ft.) of the site.

The lands on the west side of Ninth Line, immediately south of the subject lands are subject to development applications. There are several small businesses which exist along the Ninth Line corridor north of the subject lands, as well as the Churchill Meadows Community Centre and Park. On the east side of Ninth Line, south of Britannia Road West is the Churchill Meadows Neighbourhood Character Area, a low and medium density residential community consisting of a mix of detached homes, semi-detached homes and townhomes, as well as schools, daycares, parks and open space and some commercial uses including a small commercial plaza and gas station.

For these reasons, these applications are consistent with MOP, the Region of Peel Official Plan, the Growth Plan for the Greater Horseshoe and the PPS.

8. Revised Site Plan and Elevations

The applicant has provided a revised site plan and elevations as follows:



Site Plan



Front Elevation of Proposed Condominium Townhomes



Typical Elevation of Proposed Back to back Townhomes

9. Zoning

The proposed **RM6 – Exception** (Townhouses on a CEC – Road - Exception) and **RM11 – Exception** (Back To Back Townhouses on a CEC – Road – Exception) are appropriate to accommodate the proposed townhomes and back to back townhomes. The **G1** (Greenlands) zone is appropriate to permit the proposed 10 m (32.8 ft.) buffer block.

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

Proposed RM6 Exception Zoning Regulations

Zone Regulations	Existing RM6 Zone Regulations	Proposed Amended Zone RM6 Regulations
Minimum rear yard setback – interior lot / CEC - corner lot	7.5 m (24.6 ft.)	5.8 m (19 ft.)
Maximum height	10.7 m (35.1 ft.) & 3 storeys	15.0 m (49.2 ft.) & 3 storeys
Minimum landscaped area	25%	24%
Maximum encroachment of a balcony , window, chimney , pilaster or corbel, window well, &	0.6 m (2.0 ft.)	0.6 m (2.0 ft.) and up to 7 risers

Zone Regulations	Existing RM6 Zone Regulations	Proposed Amended Zone RM6 Regulations
stairs with a maximum of 3 risers, into the required front yard and exterior side yard		
Maximum encroachment of a balcony , window, chimney , pilaster or corbel, window well, & stairs with a maximum of 3 risers, into the required rear yard	1.0 m (3.3 ft.)	2.5 m (8.2 ft.)
Maximum driveway width	3.0 m (9.8 ft.)	6.2 m (20.3 ft.)
Note: The provisions listed are based on information provided by the applicant, which is subject to revisions as the applications are further refined.		

Proposed RM11 Exception Zoning Regulations

Zone Regulations	Existing Zone Regulations	Proposed Amended Zone Regulations
Minimum front yard – interior lot / CEC - corner lot	4.5 m (14.8 ft.)	4.0 m (13.1 ft.)
Minimum exterior side yard – lot with an exterior side lot line that is a street line	7.5 m (24.6 ft.)	4.2 m (13.8 ft.)

Zone Regulations	Existing Zone Regulations	Proposed Amended Zone Regulations
Interior Side Yard – Unattached Side	1.5 m (4.9 ft.)	1.3 m (4.3 ft.)
Maximum driveway width	2.6 m (8.5 ft.)	3.5 m (11.5 ft.)
Minimum width of a CEC – Road	7.0 m (23 ft.)	6.6 m (21.7 ft.)
Note: The provisions listed are based on information provided by the applicant, which is subject to revisions as the applications are further refined.		

10. Bonus Zoning

Schedule 17 of Bill 197, *COVID-19 Economic Recovery Act*, 2020, amended the *Planning Act*. The Section 37 Height/Density Bonus provisions are replaced with the Community Benefit Charge (CBC) provisions, implemented by a CBC By-law passed by Council. Section 37 of the *Planning Act* now allows municipalities to impose a CBC on land to fund costs related to growth. Funds collected under CBC will be to fund projects City-wide and Council will be requested at budget time each year to spend or allocate CBC funds to specific projects in accordance with the CBC Strategy and Corporate Policy.

In response to this legislative change, Council passed the City’s new CBC By-law on June 22, 2022, which will be administered by the Corporate Services Department, Finance Division. The by-law specifies to which types of development and redevelopment the charge applies, the amount of the

charge, exemptions and timing of charge payment. The CBC is 4% of the value of the land. A land appraisal is required in order to determine the applicable CBC in each case.

The subject proposal does not meet the minimum threshold of both 5 or more storeys and 10 or more residential units to qualify for CBC.

11. 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 rezoning concept plan, further revisions will be needed to address matters pertaining to the City’s various development engineering, landscaping and urban design standards.

12. Green Development Initiatives

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

- A landscaped bioretention area with amphibian habitat features is proposed within the 10 m (32.8 ft.) buffer adjacent to the woodlot.
- Reduced lighting levels to negate impacts on sensitive fauna while reducing energy consumption.

- Participation in the Natural Resources Canada's Energy Star for New Homes Program, resulting in up to 20% energy efficiencies.

13. Draft Plan of Subdivision

The proposed plan of subdivision was reviewed by City Departments and agencies and is acceptable subject to certain conditions attached as Appendix 3. The proposed 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.

The lands are the subject of Draft Plan of Subdivision Conditions of Approval. Development will be subject to the clearance of conditions, completion of services and registration of the plan.

14. Conclusions

In conclusion, City staff has evaluated the applications to permit 42 back to back townhomes and 4 condominium townhomes against the *Provincial Policy Statement*, the *Growth Plan for the Greater Golden Horseshoe*, Region of Peel Official Plan and Mississauga Official Plan.

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.