

# City of Mississauga

# Corporate Report



<p>Date: November 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 21-3 W7 and T-M21002 W7</p>
	<p>Meeting date: December 5, 2022</p>

## Subject

### **PUBLIC MEETING RECOMMENDATION REPORT (WARD 7)**

**Rezoning and Draft Plan of Subdivision applications and City-initiated Official Plan Amendment to permit 9 freehold detached homes and 13 detached homes on a common element condominium (CEC) road**

**0 King Street East, 0 Camilla Road and 2487 Camilla Road, southeast corner of King Street East and Camilla Road**

**Owner: City Park Holdings Inc.**

**Files: OZ 21-3 W7 and T-M21002 W7**

## Recommendation

1. That the City-initiated official plan amendment to remove the subject lands from Site 7, Special Site Policies, Cooksville Neighbourhood Character Area be approved in conformity with the provisions outlined in Appendix 2 of the staff report dated November 11, 2022 from the Commissioner of Planning and Building.
2. 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 21-3 W7 and T-M21002 W7, City Park Holdings Inc., 0 King Street East, 0 Camilla Road and 2487 Camilla Road, to permit 9 freehold detached homes and 13 detached homes on a common element condominium (CEC) road in support of the recommendations outlined in the report dated November 11, 2022 from the Commissioner of Planning and Building, that concludes that the proposed rezoning and draft plan of subdivision are acceptable from a planning standpoint and should be approved subject to the provisions outlined in Appendices 2 and 3, and to the City-initiated official plan amendment coming into force and effect.

3. That the applicant agree to satisfy all the requirements of the City and any other external agency concerned with the development.
4. That notwithstanding subsection 45.1.3 of the *Planning Act*, and should the subject applications be approved by the Ontario Land Tribunal, 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 change the zoning by-law and permit a plan of subdivision to allow 9 freehold detached homes and 13 detached homes on a CEC road
- The rezoning and subdivision applications have been appealed to Ontario Land Tribunal (OLT) by the applicant for failure to make a decision. A second case management conference is scheduled for February 15, 2023
- 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 and reconfiguring the lotting pattern and condominium road
- Staff have determined that an official plan amendment is required to support the zoning change because the internal condominium lots do not front onto a public road. As an amendment was not part of the applications appealed to OLT, a City-initiated official plan amendment is before Council for a decision and recommended for approval
- Staff require direction from Council to attend the OLT proceedings in connection with the rezoning and draft plan of subdivision applications and in support of the recommendations outlined in this report
- Staff are satisfied with the changes to the revised proposal and find them to be acceptable from a planning standpoint and recommend that the applications be approved

## Background

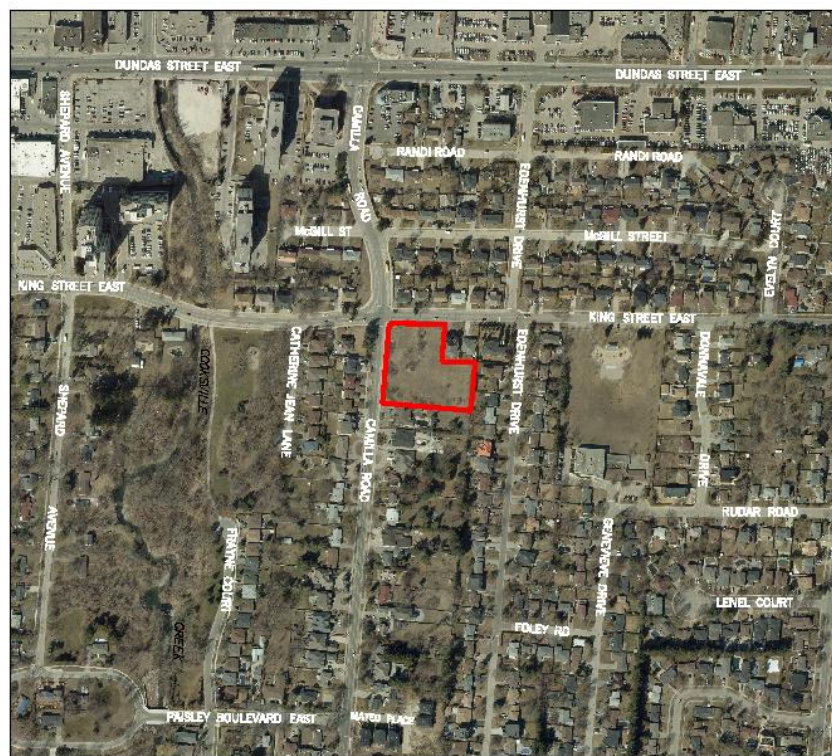
A public meeting was held by the Planning and Development Committee on February 14, 2022, at which time an Information Report ([eSCRIBE Agenda Package \(escribemeetings.com\)](https://www.escribemeetings.com)) was received for information.

Recommendation PDC-0010-2022 was then adopted by Council on March 2, 2022.

That the report dated December 17, 2021, from the Commissioner of Planning and Building regarding the applications by City Park Holdings Inc., to permit 9 freehold detached homes and 15 detached homes on a common element condominium road, under Files OZ 21-3 W7 and T-M21002 W7, 0 King Street East, 0 Camilla Road and 2487 Camilla Road, be received for information.

On January 7, 2022, the owner appealed applications OZ 21-3 W7 and T-M21002 W7 to OLT due to Council not making a decision within 120 days of application submission. A second case management conference date has been scheduled on February 15, 2023. The purpose of this report is to make a recommendation to Planning and Development Committee on the development applications and City-initiated official plan amendment, hold a public meeting on the City-initiated official plan amendment, 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 and the requirement to hold a public meeting on the City-initiated official plan amendment, full notification was provided.



Aerial Image of 0 King Street East, 0 Camilla Road and 2487 Camilla 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 24 homes to 22 homes. The revised proposal accommodates a site triangle at the corner of King Street East and Camilla Road, reconfigures the lotting pattern and condominium road to provide a landscaped buffer adjacent to the property located east of the subject lands.

- While an official plan amendment application was not originally applied for, a portion of the development is located on a condominium road and the proposed lots and setbacks are smaller than what is existing in the surrounding neighbourhood. Based on this, staff have determined that an amendment is necessary to remove the lands from the provisions of the Special Site 7 policies in the Cooksville Neighbourhood Character Area.

## COMMUNITY ENGAGEMENT

Notice signs were placed on the subject lands advising of the proposed zoning change and draft plan of subdivision. All property owners within 120 m (393 ft.) were notified of the applications on May 28, 2021. A community meeting was held by Ward 7 Councillor, Dipika Damerla, on May 26, 2021. Twenty-five people attended the meeting. Six 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 on the rezoning and plan of subdivision applications was held on February 14, 2022. Two 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.

The public meeting for the City-initiated official plan amendment is December 5, 2022 and full notification was provided.

## 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. A City-initiated official plan

amendment is recommended to remove the subject lands from Site 7, Special Site Policies, Cooksville Neighbourhood Character Area to allow homes to front onto a condominium road.

A draft plan of subdivision is also necessary in order to develop the site. A list of City Conditions of Approval can be found in Appendix 3. The evaluation of the City-initiated official plan amendment and proposed rezoning was analyzed using the following criteria:

- Directing Growth: Are detached homes on a CEC - road consistent with the Residential Low Density I designation in MOP?
- Compatibility with Neighbourhood Character: Is the proposed built form appropriate?
- Services and Infrastructure: Is there adequate infrastructure to support the proposal?

The City-initiated official plan amendment and the proposed rezoning application to permit 9 freehold detached homes and 13 detached homes on a CEC-road has been found acceptable based upon the following:

- The proposal represents intensification that is compatible with the neighbourhood context and conforms to existing MOP Residential Low Density policies
- The proposal provides appropriate transition to the existing land uses and provides a compatible built form while continuing to respect the character of the area
- 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 is considered sensitive to the existing and planned context as the proposed detached dwelling lots are permitted in the Residential Low Density I designation of the Official Plan and represent the same land use as the surrounding neighbourhood.

## Attachments

- Appendix 1: Information Report
- Appendix 2: Detailed Planning Analysis
- Appendix 3: City Conditions of Approval



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

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