

Recommendation Report Detailed Planning Analysis

Owner: Branthaven Ninth Line Inc

5160 and 5170 Ninth Line

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1. Community Comments

Comments from the public were generally directed towards appropriateness of increased heights and densities, increased traffic volumes on Ninth Line, parking supply and anticipated future population. Below is a summary and response to the specific comments heard.

Comment

Concern with the proposed height and density of the development.

Response

Mississauga Official Plan (MOP) permits a maximum building height of six storeys in Precinct 5 identified in the Ninth Line Neighbourhood Character Area. The proposed development is a six storey apartment building which is compatible with the existing and planned land uses and represents gentle intensification of an underutilized site along a Corridor.

Comment

Ninth Line can not accommodate the current traffic volumes and the proposed development will further increase traffic.

Response

A Traffic Impact Study (TIS) was provided by C.F. Crozier & Associates Inc. in support of the proposed development. The study concluded that the proposed development is anticipated to generate 79 (18 in, 61 out), and 80 (49 in, 31 out) two-way site trips for the weekday AM and PM peak hours in 2026, respectively.

Transportation and Works staff advise that with the traffic generated by the proposed development, the study area intersections and proposed access are expected to operate at acceptable levels of service, with minimal impact to existing traffic conditions.

Comment

The number of residential units proposed and anticipated population are too high.

Response

This development proposal includes 205 residential units housing approximately 492 residents on a 0.65 ha. (1.61 ac.) parcel of land. Utilizing Hemson Consulting's assumptions from the Shaping Ninth Line study of 2.4 persons per unit (ppu), the proposal achieves a density of approximately 756 residents per ha. (306 residents per ac.). The proposal's density exceeds the minimum density targets identified through the Shaping Ninth Line study; however, the increase is appropriate on Residential Medium Density and Mixed Use areas to offset the lower anticipated densities of the Business Employment and Public Open Space areas, which account for roughly 30% of the developable area within the Ninth Line Neighbourhood Character Area.

Comment

Concerns were raised about the amount of visitor parking.

Response

The City of Mississauga Zoning By-law requires 1.0 resident parking space and 0.2 visitor spaces per residential apartment unit. The proposed development requires 205 resident parking spaces with 41 visitor parking spaces for a total of 246 required parking spaces. The applicant is proposing a total of 274 parking spaces. Staff are satisfied with the amount of parking provided.

2. Updated Agency and City Department Comments

UPDATED AGENCY AND CITY DEPARTMENT COMMENTS

The application was circulated to all City departments and commenting agencies on May 29, 2023. A summary of the comments is contained in the Information Report attached as Appendix 1. Below are updated comments.

Community Services Department

In comments dated May 2023, Community Services indicated that the proposed development is adjacent to Churchill Meadows Community Centre and Mattamy Sports Park (P-459), as well as an adjacent city owned woodlot (P-460) which is considered a Significant Natural Area. The woodlot and park are zoned **G2** (Greenlands – Natural Features) and **OS1** (Open Space – Community Park). This 20.2 ha. (50 ac.) park contains a woodlot, trails, play equipment, soccer pitches and a

community centre, with additional planned enhancements to occur in future park development phases.

Staff have reviewed the submitted Environmental Impact Statement (EIS) which recommends the preservation and addition to the natural heritage system. 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 Community Centre and Mattamy Sports Park (P-459). Additionally, securities will be required for greenbelt clean-up, restoration and protection, hoarding and fencing.

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

Transportation & Works Department

Technical reports and drawings have been reviewed to ensure that engineering matters related to noise, grading, servicing, stormwater management, traffic, and environmental compliance can be satisfactorily addressed and confirm feasibility of the project, in accordance with City requirements.

Stormwater

A Functional Servicing Report (FSR) prepared by Urbantech Consulting dated May 2023, was submitted in support of the

proposed development. The report indicates that an increase in stormwater runoff will occur with the redevelopment of the site. In order to mitigate the change in impervious areas 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 proposes to construct a stormwater system to service the development lands, with an outlet to Ninth Line. In addition, infiltration is proposed to retain stormwater on site. The applicant has demonstrated a satisfactory stormwater servicing concept. The details of the FSR and stormwater management report will be finalized prior to site plan approval.

Traffic

Four Traffic Impact Study (TIS) submissions were provided by C.F. Crozier & Associates Inc. in support of the proposed development. The fourth submission, dated May 2023, complies with the City's TIS Guidelines and is deemed satisfactory. The study concluded that the proposed development is anticipated to generate 79 (18 in, 61 out), and 80 (49 in, 31 out) two-way site trips for the weekday AM and PM peak hours in 2026.

With the traffic generated by the proposed development, the study area intersections and proposed vehicular access are expected to operate at acceptable levels of service with minimal impact to existing traffic conditions.

Environmental Compliance

A Phase I Environmental Site Assessment (ESA) report dated July 20, 2021 and a Certification Letter dated August 15, 2022; both prepared by DS Consultants LTD., were submitted in support of the proposed development. A Record of Site Condition (RSC) No. B-402-1208110561 was filed with the Ministry of the Environment, Conservation and Parks on February 24, 2023 for the change in land use from commercial to residential. No further investigation is required at this time.

Noise

A Noise Feasibility Study prepared by HGC Engineering dated May 10, 2023, was submitted for review. The study evaluates the potential impact both to and from the proposed development and recommends mitigation measures to reduce any negative impacts. The noise source that may have an impact on this development is road traffic from Ninth Line and Highway 407. Noise mitigation will be required to be provided through the inclusion of upgraded building components, air conditioning units and noise barriers for rooftop amenity space, the details of which will be confirmed through the site plan and building permit processes.

Engineering Plans/Drawings

Transportation and Works staff are satisfied that the information reviewed to date is satisfactory and is in accordance with City requirements. Additional requirements and clauses pertaining to development of the lands will be included in the related

development agreement, prior to by-law enactment. Any outstanding items required to facilitate the implementation of the zoning by-law including but not limited to servicing and easements, will be dealt with through the site plan and building permit processes.

Region of Peel

Regional clearance for the application was provided on July 26th, 2023.

From a servicing perspective, staff reviewed the recent submission, redesign of the proposal, increase in units, and revised FSR dated May 2023 and note that there is adequate water and wastewater capacity for the proposed development.

From a waste collection perspective, all waste condition requirements have been satisfied in accordance with the Waste Collection Design Standards Manual and details will be confirmed prior to site plan approval.

School Accommodation

Peel District School Board Student Yield		
Kindergarten to Grade 5	Grade 6 to Grade 8	Grade 9 to Grade 12
17	5	3

Peel District School Board School Accommodation		
Artesian Drive Public School (Kindergarten to Grade 5)	Erin Centre Middle Public School (Grade 6 to Grade 8)	Stephen Lewis Secondary School (Grade 9 to Grade 12)
Enrolment: 513 Capacity: 698 Portables: 0	Enrolment: 817 Capacity: 766 Portables: 3	Enrolment: 1326 Capacity: 1530 Portables: 0

Dufferin-Peel Catholic District School Board Student Yield	
Kindergarten to Grade 8	Grade 9 to Grade 12
8	4

Dufferin-Peel Catholic District School Board School Accommodation	
St. Bernard of Clairvaux Catholic Elementary School	St. Joan or Arc Catholic Secondary School
Enrolment: 479 Capacity: 519 Portables: 10	Enrolment: 1087 Capacity: 1371 Portables: 0

In comments, dated March 4th, 2022 and March 7th, 2022, the Peel District School Board and the Dufferin-Peel Catholic District School Board responded that they are satisfied with the current provision of educational facilities for the catchment area and, as such, the school accommodation condition as required by City of Mississauga Council Resolution 152-98 pertaining to satisfactory arrangements regarding the adequate provision and distribution of educational facilities need not be applied for this development application. The Peel District School Board and Dufferin-Peel Catholic District School Board subsequently identified no concerns regarding school accommodation based

on the increase in residential units from 198 – 205 residential units.

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 6th, 2022 (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 development proposal represents an opportunity to modestly intensify and increase the range of housing in the Ninth Line Neighbourhood Character Area. The proposed development represents an efficient land use pattern that avoids environmental health or safety concerns. 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 will intensify an underutilized site and provide an appropriate mix of housing types and densities within the Ninth Line Neighbourhood Character Area.

The policies of the Greenbelt Plan and the Parkway Belt Plan are not applicable to these application.

6. Region of Peel Official Plan

As summarized in the public meeting report dated May 6th, 2023 (Appendix 1), 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 and is a Designated Greenfield Area. General Objectives in Section 5.6 and General Policies in Section 5.6 direct development and redevelopment to the Urban System to achieve intensified and compact built form and a mix of land uses that efficiently use land while taking into account the characteristics of existing communities.

7. Mississauga Official Plan (MOP)

The proposal does not require an amendment to the Mississauga Official Plan Policies for the Ninth Line Neighbourhood Character Area, to permit a six storey apartment building containing 205 residential units.

Planning staff have undertaken an evaluation of the relevant policies of the PPS, Growth Plan and MOP, including those found in Section 19.5.1 against this proposed development application.

The subject site is designated **Residential Medium Density**, which permits all forms of townhouse dwellings and low-rise and mid-rise apartments within the Ninth Line Neighbourhood Character Area.

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

Directing Growth

The subject site is located in the Ninth Line Neighbourhood Character Area. Although Neighbourhoods are generally not appropriate areas for significant intensification, MOP acknowledges that Neighbourhoods will not remain static and that new development should be sensitive to the existing and planned character. Intensification within Neighbourhoods is to be compatible to surrounding development in built form and scale and enhance the existing and planned development (S.5.3.5.5 and S.5.3.5.6). In accordance with MOP, higher density uses are to be directed to specific locations, including along Corridors (S.5.3.5.3).

Based on the location of the property within the Ninth Line Neighbourhood Character Area and along a designated Corridor, City staff consider the subject site appropriate for residential intensification and higher density uses.

Compatibility with the Neighbourhood

The site is located within the Ninth Line Neighbourhood Character Area, which is intended to accommodate a variety of medium and high density housing, employment, and an extensive open space network. The surrounding lands east of

the subject site located in the Lisgar Neighbourhood Character Area are designated **Residential Low Density II**, which permits detached, semi-detached, and townhouse dwellings with individual frontages. The rezoning application permits a six storey apartment building along Ninth Line. The apartment building and site layout have been designed to preserve and enhance the existing Significant Natural Area to the north. The apartment building has also incorporated a significant building setback and landscaped buffer along the south property line to mitigate overlook and privacy concerns on the abutting planned townhouse development and their associated rear yards. Further, the proposed development has also incorporated a landscaped buffer along the west property line to ensure all surface parking areas can be adequately screened in order to further mitigate the visual impacts on the planned townhouse development to the west.

In staff's opinion, the proposed development has been designed to be compatible with the existing and planned land uses in the surrounding area.

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 site is currently serviced by the following MiWay Transit routes:

- Route 9 to City Centre Transit Terminal and route 35 to Kipling Station are located at Churchill Meadows Community Centre on Ninth Line and are within 400m (1312.3 ft.) (an approximately five minute walk).

The subject site is also located in close proximity to the planned 407 Transitway, which has a planned transit stop at Ninth Line and Britannia Road West.

The site is in close proximity to several trails and parks, including Churchill Meadows Community Centre and Mattamy Sports Park, McLeod Park, and Marco Muzzo Senior Memorial Woods & Park. The Erin Mills Centre located at Ninth Line and Eglinton Avenue West provides convenient access to several retail and service uses.

The Region of Peel has advised that there is adequate water and sanitary sewer capacity to service this site. Additionally, staff has advised the proposed development has demonstrated a satisfactory stormwater servicing concept.

The location of the proposed development has adequate access to services and infrastructure, and the proposed zoning standards 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:



View looking west from Ninth Line



View looking east from 5150 Ninth Line

9. Zoning

The proposed **RA2-24** (Apartments – Exception) is appropriate to accommodate the proposed proposal.

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

Proposed Zoning Regulations

Zone Regulations	Apartments (RA2) Zone Regulations	Proposed Apartments (RA2-24) Zone Regulations
Maximum Floor Space Index (FSI)	1.0	2.2
Maximum Height	26.0 m (85.3 ft.) and 8 storeys	20 m (65.6 ft.) and 6 storeys
Maximum number of apartment dwelling units	N/A	205
Minimum Front Yard for dwelling with height less than 13.0m	7.5 m (24.6 ft.)	5.0 m (16.4 ft.)
Minimum Rear Yard for dwelling with a height greater than 13.0m and less than or equal to 20.0m	10.0 m (32.8 ft.)	7.5 m (24.6 ft.)
Maximum encroachment of a balcony located	1.0 m (3.3 ft.)	1.8 m (5.9 ft.)

Zone Regulations	Apartments (RA2) Zone Regulations	Proposed Apartments (RA2-24) Zone Regulations
above the first storey , sunroom, window, chimney , pilaster, cornice, balustrade or roof eaves into a required yard		
Minimum width of aisle	7.0 m (23.0 ft.)	6.0 m (19.7 ft.)
Minimum setback from a parking structure completely below finished grade, inclusive of external access stairwells, to any lot line	3.0 m (9.8 ft.)	0.8 m (2.6 ft.) – 2.0 m (6.6 ft.)
Minimum depth of a landscaped buffer abutting a lot line that is a street line	4.5 m (14.8 ft.)	3.0 m (9.8 ft.)
Minimum depth of a landscaped buffer abutting a lot line or abutting lands with an Open Space or Greenlands	4.5 m (14.8 ft.)	2.0 m (6.6 ft.)
Minimum depth of a landscaped buffer abutting a lot line a Residential Zone with	4.5 m (14.8 ft.)	4.0 m (13.1 ft.)

Zone Regulations	Apartments (RA2) Zone Regulations	Proposed Apartments (RA2-24) Zone Regulations
the exception of an Apartment Zone		
Minimum landscaped area	40% of lot area	30% of lot area
Minimum percentage of total required amenity area to be provided in one contiguous area	50%	38%
In addition to the regulations listed, other minor and technical variations to the implementing by-law may also apply, including changes that may take place before Council adoption of the by-law, should the application be approved.		

10. "H" Holding Provision

Should this application be approved by Council, staff will request an "H" Holding Provision which can be lifted upon:

- Receipt of a signed Development Agreement with Municipal Infrastructure Schedules
- Receipt of a satisfactory Draft Reference Plan illustrating the woodlot to be dedicated to the City and pedestrian easement in favour of the City along the north property line
- Satisfactory arrangements for the gratuitous dedication of the woodlot to the City

- Receipt of an updated Environmental Impact Statement to the satisfaction of the City's Community Services Department
- Receipt of a Restoration Plan to the satisfaction of the City's Community Services Department

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 such as grading, landscaping, green development initiatives, including green roofs and bird friendly glazing, and the integration of detailed urban design standards to address the Shaping Ninth Urban Design Guidelines.

12. Conclusions

City staff has evaluated the application to permit a six storey apartment building containing 205 residential units 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 provides for an efficient use of an underutilized property on a designated Corridor with access to existing infrastructure, community services and transit. The proposal is well designed to be compatible with adjacent and planned land uses and provides for a built form that supports a mix of housing types within the Ninth Line Neighbourhood Character Area.

The proposed rezoning application is acceptable from a planning standpoint and should be approved.