

Amendment No. 174
to
Mississauga Official Plan

By-law No. _____

A by-law to Adopt Mississauga Official Plan Amendment No. 174

WHEREAS in accordance with the provisions of sections 17 or 21 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, ("*Planning Act*") Council may adopt an Official Plan or an amendment thereto;

AND WHEREAS, pursuant to subsection 17(10) of the *Planning Act*, the Ministry of Municipal Affairs and Housing authorized the Regional Municipality of Peel ("Region" or "Regional"), an approval authority, to exempt from its approval any or all proposed Local Municipal Official Plan Amendments;

AND WHEREAS, Regional Council passed By-law Number 1-2000 which exempted all Local Municipal Official Plan Amendments adopted by local councils in the Region after March 1, 2000, provided that they conform with the Regional Official Plan and comply with conditions of exemption;

AND WHEREAS, the Commissioner of Public Works for the Region has advised that, with regard to Amendment No. 174, in his or her opinion the amendment conforms with the Regional Official Plan and is exempt;

AND WHEREAS, Council desires to adopt certain amendments to Mississauga Official Plan regarding a change in the land use designation within the Meadowvale Village Neighbourhood Character Area;

NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

1. The document attached hereto, constituting Amendment No. 174 to Mississauga Official Plan, is hereby adopted.

ENACTED and PASSED this _____ day of _____, 2024.

Signed _____
MAYOR

Signed _____
CLERK

Amendment No. 174
to
Mississauga Official Plan

The following text and Map "A" attached constitute Amendment No. 174.

Also attached but not constituting part of the Amendment are Appendices I and II.

Appendix I is a description of the Public Meeting held in connection with this Amendment.

Appendix II is a copy of the Planning and Building Department report dated May 15, 2024 pertaining to this Amendment.

PURPOSE

The purpose of this Amendment is to change the land use designation on a portion of the subject lands from Residential Low Density II and Business Employment to Residential Medium Density. A Special Site is being added to permit detached dwellings within the Residential Medium Density designation and additional uses in the Business Employment portion of the subject lands.

LOCATION

The lands affected by this Amendment are located on the south side of Derry Road West, east of McLaughlin Road. The subject lands are located in the Meadowvale Village Character Area, as identified in Mississauga Official Plan.

BASIS

Mississauga Official Plan came into effect on November 14, 2012, save and except for the outstanding site specific appeals to the Ontario Land Tribunal.

A portion of the subject lands is designated Residential Low Density II and Business Employment. The Residential Low Density II permits detached dwellings, semi-detached dwellings, duplex and triplex dwellings, street townhouses and other forms of low-rise dwellings with individual frontages. The Business Employment designation allows for a variety of business employment uses such as a commercial school, conference centre, manufacturing, financial institution, restaurant, and entertainment, recreation, and sports facilities.

An Official Plan Amendment is required to change the land use designation of a portion of the subject lands from Residential Low Density II and Business Employment to Residential Medium Density in order to permit the construction of 120 townhouses, a semi-detached dwelling, two detached dwellings, and a commercial building.

A Special Site is required to permit detached dwellings in Residential Medium Density and to permit retail store, personal service establishment and office uses within the Business Employment designation of a portion of the subject lands in the Meadowvale Village Neighbourhood Character Area.

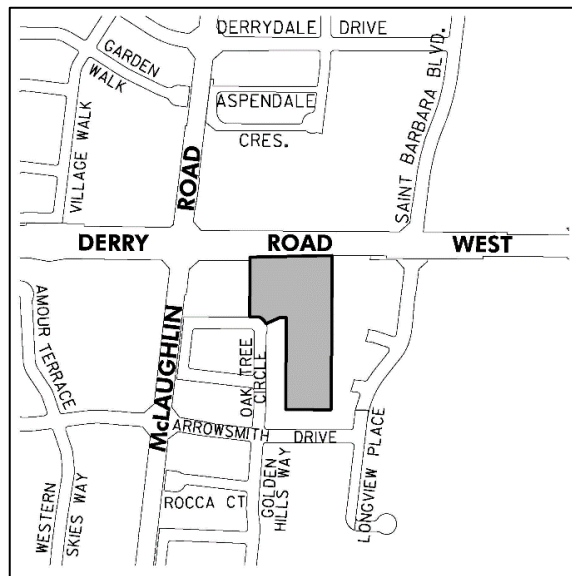
The proposed Amendment is acceptable from a planning standpoint and should be approved for the following reasons:

1. The proposal represents a gentle form of intensification and has been designed to be compatible with and sensitive to the surrounding area.
2. The proposal provides appropriate transition to the existing adjacent land uses and provides a compatible built form while continuing to respect the character of the Meadowvale Village Neighbourhood Character Area.
3. The existing municipal infrastructure is adequate to support the proposed development, while the development adds to the variety of housing options, which aligns with the goals and objectives of Mississauga Official Plan.

DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

1. Section 16.17, Meadowvale Village Neighbourhood Character Area, of Mississauga Official Plan, is hereby amended by adding Special Site 15 on Map 16-17: Meadowvale Village Neighbourhood Character Area in accordance with the changes to the Special Site Policies.
2. Section 16.17.5, Special Site Policies, Meadowvale Village Neighbourhood Character Area, of Mississauga Official Plan, is hereby amended by adding the following:

16.17.5.15 Site 15



16.17.5.15.1 The lands identified as Special Site 15 are located on the south side of Derry Road West, east of McLaughlin Road.

16.17.5.15.2 Notwithstanding the policies of this Plan, the following additional policies will apply:

- a. detached dwellings will also be permitted within the Residential Medium Density designation; and
 - b. retail store, personal service establishment and office uses will be permitted within the Business Employment designation.
3. Schedule 10, Land Use Designations, of Mississauga Official Plan, is hereby amended by changing the land use designation of a portion of the subject lands from Residential Low Density II and Business Employment to Residential Medium Density, as shown on Map "A" of this Amendment.

IMPLEMENTATION

Upon the approval of this Amendment by the Council of the Corporation of the City of Mississauga, Mississauga Official Plan will be amended in accordance with this Amendment.

The lands will be rezoned to implement this Amendment.

This Amendment has been prepared based on the Office Consolidation of Mississauga Official Plan dated March 4, 2024.

INTERPRETATION

The provisions of Mississauga Official Plan, as amended from time to time regarding the interpretation of that Plan, will apply in regard to this Amendment.

This Amendment supplements the intent and policies of Mississauga Official Plan.

LAND USE DESIGNATIONS

- | | |
|----------------------------|---------------------|
| Residential Low Density I | Business Employment |
| Residential Low Density II | Industrial |
| Residential Medium Density | Airport |
| Residential High Density | Institutional |
| Mixed Use | Public Open Space |
| Downtown Mixed Use | Private Open Space |
| Downtown Core Mixed Use | Greenlands |
| Convenience Commercial | Parkway Belt West |
| Motor Vehicle Commercial | Utility |
| Office | |

BASE MAP INFORMATION

- | | |
|---|------------------------------|
| Heritage Conservation District | Civic Centre (City Hall) |
| 1996 NEP/2000 NEF Composite Noise Contours | City Centre Transit Terminal |
| LBPIA Operating Area Boundary See Aircraft Noise Policies | GO Rail Transit Station |
| Area Exempt from LBPIA Operating Area | Public School |
| Natural Hazards | Catholic School |
| | Hospital |
| | Community Facilities |

City Structure

- | | |
|----------------|----------------------|
| Downtown | Corporate Centre |
| Major Node | Employment Area |
| Community Node | Special Purpose Area |
| Neighbourhood | |

AREA OF AMENDMENT

FROM:

	RESIDENTIAL LOW DENSITY II
	BUSINESS EMPLOYMENT

TO:

	RESIDENTIAL MEDIUM DENSITY
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MAP 'A'

Part of Schedule 10
Land Use Designations
of Mississauga Official Plan



EXISTING LAND USE DESIGNATION

AMENDED LAND USE DESIGNATION

APPENDIX I

PUBLIC MEETING

All property owners within a radius of 120 m of the subject lands were invited to attend a Public Meeting of the Planning and Development Committee held on June 3, 2024, in connection with this proposed Amendment.

There were no deputations at the Public Meeting or written submissions received.

The first legislated public meeting was held prior to formal submission on June 20, 2023, virtually, hosted by Councilor Brad Butt. No attendees were present and no deputations or concerns raised.

City of Mississauga
Corporate Report



Date: May 15, 2024 To: Chair and Members of Planning and Development Committee From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building	Originator's files: OZ/OPA 24-2 W11 and T-M24001 W11 Meeting date: June 3, 2024
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Subject

PUBLIC MEETING RECOMMENDATION REPORT (WARD 11)

Official Plan Amendment, Rezoning and Draft Plan of Subdivision applications to permit 120 townhouses and back to back townhouses on a Common Element Condominium (CEC) Road, two semi-detached dwellings, two detached dwellings and a commercial building

376, 390 Derry Road West and 0 Oaktree Circle, south side of Derry Road West, east of McLaughlin Rd

Owner: 2799580 Ontario Limited (Ballymore Homes)

Files: OZ/OPA 24-2 W11, T-M24001 W11

Bill 109

Recommendation

1. That the applications under Files OZ/OPA 24-2 W11 and T-M24001 W11, 2799580 Ontario Limited (Ballymore Homes), 376, 390 Derry Road West and 0 Oaktree Circle, to amend Mississauga Official Plan to **Residential Medium Density** and **Business Employment** and add a Special Site policy; to change the zoning to **H-R7-Exception** (Detached Dwellings - Shallow Lots), **H-RM2-Exception** (Semi-Detached), **H-RM6-Exception** (Townhouses on a CEC - Road), **H-RM11-Exception** (Back To Back Townhouses On A CEC - Road) and **H-C2** (Neighbourhood Commercial) to permit 120 townhouses and back to back townhouses on a CEC Road, two semi-detached dwellings, two detached dwellings and a commercial building be approved.
2. That Council acknowledges that the Commissioner of Planning and Building, in accordance with the Commissioner's delegated authority, is contemplating issuing the draft conditions of approval outlined in Appendix 2 attached to the staff report dated May

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Originator's files: OZ/OPA 24-2 W11 and T-M24001 W11

15, 2024 from the Commissioner of Planning and Building for the draft plan of subdivision under File T-M24001 W11.

3. That the applicant agrees 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 the "H" holding provision is to be removed from the **R7-Exception** (Detached Dwellings - Shallow Lots), **RM2-Exception** (Semi-Detached), **RM6-Exception** (Townhouses on a CEC - Road), **RM11-Exception** (Back To Back Townhouses On A CEC - Road) and **C2** (Neighbourhood Commercial) zoning applicable to the subject lands, by further amendment upon confirmation from applicable agencies and City Departments that matters as outlined in the report dated May 15, 2024, from the Commissioner of Planning and Building have been satisfactorily addressed.

Executive Summary

- Staff recommend approval of the proposed infill development application on a vacant site which will facilitate new housing, commercial space, an integrated traffic and pedestrian system, and private amenity space
- Upon approval, the lands will support 124 new residential units, including townhouses and back to back townhouses on a CEC Road, detached and semi-detached dwellings, and a commercial building
- Based on staff's evaluation the development applications conform with the relevant planning policies and are supportable from a planning perspective
- Of significance to note: there is adequate existing municipal infrastructure to support the proposed development; and the mix of uses and integrated movement network will facilitate a more walkable community.

Background

A pre-submission public meeting was held virtually by Ward 11 Councillor, Brad Butt, on June 20, 2023. Official Plan amendment, rezoning and subdivision applications were deemed complete on February 22, 2024 and subsequently circulated for review and technical comments. The purpose of this report is to provide information on the applications and a detailed planning

analysis, including recommendations for the Planning and Development Committee’s consideration.

Present Status

1. Site Information

(a) Site Location and Description

The site is located south of Derry Road West, just east of McLaughlin Road, in the Meadowvale Village Neighbourhood Character Area. The site is an irregular shape, with frontage onto Derry Road West and Oaktree Circle to the south. The site is mostly vacant with two vacant single storey buildings fronting Derry Road West.



Aerial Photo of 376, 390 Derry Road West and 0 Oaktree Circle

Property Size and Use	
Frontages:	Derry Rd W - 136.0 m (446.2 ft.) approx. Oaktree Cir - 30.0 m (98.4 ft.) approx.
Gross Lot Area:	2.59 ha (6.4 acres)



Photo of Existing Site Condition (view south from Derry Road West)



Photo of Existing Site Condition (view north from Oaktree Circle)

(b) Site History

- June 20, 2007 – Zoning By-law 0225-2007 came into force. The subject lands were zoned **D** (Development), which recognizes vacant lands not yet developed and/or permits legally existing uses until such time as the lands are rezoned in conformity with Mississauga Official Plan, and **RM5-26** (Street Townhouses - Exception), which permits townhouse and semi-detached dwellings.
- November 14, 2012 – Mississauga Official Plan (MOP) came into force which designated the subject site **Residential Low Density II**, **Residential Medium Density** and **Business Employment** within the Meadowvale Village Neighbourhood Character Area.
- June 20, 2023 – A virtual community meeting was held by Ward 11 Councillor, Brad Butt.

- June 28, 2023 – Development Application Review Committee (DARC) meeting held with the proponent and City staff provided submission requirements and preliminary feedback, under file DARC 23-91 W11.
- February 22, 2024 – The subject applications were deemed complete and began formal review under the City's new development application pilot project, as a response to the Province's recent legislation under Bill 109.

(c) Site Context

The subject properties are located in the Meadowvale Village Neighbourhood Character Area. The surrounding area contains a mix of residential and commercial uses.

Residential uses including detached, semi-detached and townhouses characterize the area around the development site to the north, west and south, while commercial sites exist in the area immediately east and west of the site and north of Derry Rd West. The commercial sites include a Petro-Canada gas station immediately west of the site and a one storey commercial plaza to the north, which contains a Food Basics, Dollarama, LCBO and other commercial and service uses. On the northwest corner of Derry Rd West and McLaughlin Rd is the Meadowvale Village Centre shopping mall. There are two detached homes with commercial units to the east of the site fronting Derry Road. These lands are also zoned **D** (Development). Further east, there are various employment sites, including a hotel and commercial plazas containing restaurants and offices.

The surrounding land uses are:

North: **Mixed Use** (commercial plaza)

East: **Motor Vehicle Commercial** (gas station) and **Residential Medium Density** (semi-detached dwellings)

South: **Residential Low Density II** (detached dwellings)

West: **Residential Low Density II** (detached dwellings) and **Business Employment** (development sites, hotel, and commercial plaza)

2. Surrounding Development Applications

The following development applications are in process or were recently approved in the immediate vicinity of the subject property:

- OZ/OPA 21-12 W11 – 44-45 Longview Place – application in process for three detached dwellings
- OZ 13/021 W11 and T-M13007– 320 Derry Rd W – applications approved for 37 detached dwellings, eight semi-detached dwellings and employment uses in June 2015

3. Official Plan

The lands are located within the Meadowvale Village Neighbourhood Character Area and are designated **Residential Low Density II**, **Residential Medium Density** and **Business Employment**. The **Residential Low Density II** designation permits detached dwellings, semi-detached dwellings, duplexes, triplexes, street townhouses and other forms of low-rise dwellings with individual frontages. The **Residential Medium Density** designation permits all forms of townhouses. The **Business Employment** designation permits a wide variety of uses which encourage employment and commercial activity.

The Meadowvale Village Neighbourhood Character Area is not an identified Intensification Area in Mississauga Official Plan and is, therefore, not intended to be the focus of significant intensification within the City. However, this does not mean that it must remain static and does allow for development which is sensitive to the existing and planned character of the area. Additionally, the lands are located on a Corridor: Derry Road West to the north. Development on Corridors which are within the context of a Neighbourhood should be compact, mixed use, transit friendly and appropriate. Refer to Appendix 1 for the existing and proposed Official Plan map.

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

4. Zoning

The subject property is currently zoned **D** (Development), which recognizes vacant lands not yet developed and/or permits the use that legally existed on the date of passing of Mississauga Zoning By-law 0225-2007, until such time as the lands are rezoned in conformity with Mississauga Official Plan. A small area of the site along Oaktree Circle is zoned **RM5-26** (Street Townhouses - Exception), which permits street townhouses and semi-detached dwellings.

Refer to Appendix 1 for the existing and proposed Zoning Map.

5. Proposed Development

(a) Description

The applicant proposes to develop the property with 120 street and back to back townhouses on a Common Element Condominium (CEC) Road, two semi-detached dwellings, two detached dwellings and a commercial building. Official plan amendment and rezoning applications are required to permit the proposed development. A draft plan of subdivision application is also proposed to create six blocks. Refer to Appendix 1 for details of the proposed development.



Concept Plan of Proposed Development

(b) Supporting Studies

The applicant has submitted various materials and studies in support of the applications which can be viewed at: <https://yoursay.mississauga.ca/development-applications-public-feedback>

(c) Green Development Initiatives

The applicant has not identified which green development initiatives will be incorporated into the development.

Comments

The following section summarizes the various elements that were considered in developing the Planning and Building Department's position on the applications.

1. Reason for Applications

Official Plan Amendment

An amendment to Mississauga Official Plan and the Meadowvale Village Neighbourhood Character Area through the addition of a Special Site policy is required to accommodate the proposal.

An amendment to the site's designation from **Residential Low Density II, Residential Medium Density** and **Business Employment** to **Residential Medium Density** and **Business Employment** is required to allow the construction of CEC street and CEC back to back townhomes across the site. The lands currently designated Business Employment at the northeast corner of the property are to but the area will be reduced.

Secondly, an amendment to the Meadowvale Village Neighbourhood Character Area through the addition of a Special Site is required to allow the inclusion of detached dwellings within a **Residential Medium Density** designation, and to allow the inclusion of retail store, personal service establishment and office uses within the **Business Employment** designation.

Please refer to Appendix 1 to view the existing Official Plan designations and proposed amendments.

Zoning By-law Amendment

An amendment to Zoning By-law 0225-2007 is required to implement the proposal. The majority of the site is zoned **D** (Development), which only permits uses legally existing. A small portion of the site along Oaktree Circle is zoned **RM5-26** (Street Townhouses - Exception), which permits street townhouses and semi-detached dwellings.

The proposed zoning amendments are **R7-Exception** (Detached Dwellings - Shallow Lots), **RM2-Exception** (Semi-Detached), **RM6-Exception 1** (Townhouses on a CEC - Road), **RM6-Exception 2** (Townhouses on a CEC - Road), **RM11-Exception** (Back to Back Townhouses on A CEC - Road) and **C2** (Neighbourhood Commercial). The proposed zoning includes exceptions to each zone to accommodate specific regulations for each block of units including: reduced front, side and rear yard setbacks, landscaped areas and lot sizes and increased dwelling heights.

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Originator's files: OZ/OPA 24-2 W11 and T-M24001 W11

Refer to Section 2 and Appendix 1 to view a complete list of the requested zoning amendments.

2. Policy 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 *Planning Act* requires that Mississauga Official Plan be consistent with the Provincial Policy Statement and conform with the applicable provincial plans and Regional Official Plan. The policy and regulatory documents that affect these applications have been reviewed and assessed in the context of the proposed development applications. The following section summarizes how the proposed development is consistent with the applicable policy and regulatory documents.

(a) Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe

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".

Consistency with the PPS, 2020

PPS policy 1.1.1 outlines how to manage and direct land use to achieve resilient development and liveable communities, through promoting efficient, dense land use, accommodating a mix of residential types, promoting transit-oriented development and avoiding development which may cause public health and safety concerns. PPS policy 1.1.3 outlines how settlement areas should be managed and supported in their role as the focus of growth and development, largely by utilizing appropriate development standards which operationalize existing infrastructure, encourage transit-oriented development and generally use land efficiently.

The proposed development conforms to the PPS as it proposes gentle intensification of an under utilized parcel while transitioning the proposed townhouse built form to integrate with the existing semi-detached and detached dwellings along the Oaktree Circle.

Consistency with the Growth Plan, 2020

The proposed development conforms to the Growth Plan direction as it accommodates intensification within an existing built-up area and results in an increase to housing supply.

The Growth Plan explicitly states that development must be governed by appropriate standards. The proposed development provides adequate regard to the appropriate siting of dwellings in relation to surrounding dwellings and municipal infrastructure. As such the proposed development is consistent with the principle and aims of the Growth Plan.

(b) Regional Official Plan (ROP)

The general objectives of the ROP, as outlined in Section 5.3, include conserving the environment, achieving sustainable development, establishing healthy complete communities, achieving intensified and compact form and mix of land uses. There are also policies about the efficient use of land, services, infrastructure and public finances. Achieving an urban form and density that is pedestrian-friendly and transit supportive are also stated objectives.

The proposed development does not require an amendment to the ROP. The site is located within the Urban System and the proposal achieves many of the objectives and policies of the ROP, including: encouraging a pattern of compact form, providing an appropriate range of housing, supporting pedestrian-friendly and transit-supportive opportunities for intensification and mixed land uses (Section 5.3). As such, the proposed development gives adequate regard for the objectives of the ROP.

(c) Mississauga Official Plan (MOP)

The proposal requires an amendment to the Mississauga Official Plan policies for the Meadowvale Village Neighbourhood Character Area, to permit 120 CEC street and back to back townhouses, two semi-detached dwellings, two detached dwellings and a commercial building. Section 19.5.1 of Mississauga Official Plan provides the following criteria for evaluating site specific Official Plan Amendments:

- ***Will the proposal adversely impact or destabilize the overall intent, goals and objectives of the Official Plan; and the development or functioning of the remaining lands which have the same designation, or neighbouring lands?***
- ***Are the lands suitable for the proposed uses, and are the proposed land uses compatible with existing and future uses of the surrounding lands?***
- ***Are there adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed application?***
- ***Has 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 been provided by the applicant?***

Planning staff have undertaken an evaluation of the relevant policies of Mississauga Official Plan 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 Meadowvale Village Neighbourhood Character Area and is designated **Residential Low Density II** which permits detached dwellings, semi-detached dwellings, duplexes, triplexes, street townhouses and other forms of low-rise dwellings with individual frontages; **Residential Medium Density** which permits all forms of townhouses; and **Business Employment** which permits a wide variety of uses which encourage employment and commercial activity.

The applicant is proposing **Residential Medium Density** and **Business Employment**, with a Special Site to allow for detached dwellings fronting Oaktree Circle and retail store, personal service establishment and office uses within the **Business Employment** designation.

The Meadowvale Village Neighbourhood Character Area is not identified as an intensification area within MOP but this site does front onto a Corridor. Within the City Structure, Neighbourhoods (MOP policy 5.3.5) are generally expected to facilitate lower densities and building heights (specifically 2 to 4 storeys along Corridors), with intensification occurring through infilling, and higher densities being found along Corridors. Intensification is to be compatible with the built form and scale of the surrounding development and should not exceed the capacity of existing and planned services and site constraints (MOP policy 5.1.9).

The Meadowvale Village Neighbourhood Character Area (16.17) includes design policies which encourage subdivisions to provide a mix of lot sizes (16.17.2.5) and integrated street networks (16.17.2.8). With regard to land use, semi-detached dwellings are permitted in **Residential Medium Density** designations where localized circumstances reflect similar lotting patterns (16.17.3.2).

The proposed development adheres to the planned City Structure. The proposed **Residential Medium Density** designation expands the area of the existing medium density designation, replacing the previous **Residential Low Density II** designation. The proposal will provide infill housing and intensification along a Corridor, while transitioning to lower densities. The proposed concept plan demonstrates a mix of lot sizes and a street network integrated with the existing neighbourhood. The proposed three storey dwellings will have a maximum height of 15 m (49.2 ft.). The proposed road network connects with Derry Road West to the north, and Waterhouse Crescent and Longview Place to the east, while providing a pedestrian access to Oaktree Circle to the south. The development includes private and shared amenity areas for future residents, as well as a commercial block which

will encourage a mixed use development. The site represents an optimal location for this form of development.

The proposed development puts forward the addition of retail store, personal service establishment and office uses within the **Business Employment** designation. These uses are permitted within **Mixed Use** and **Convenience Commercial** designations, though generally not within **Business Employment** designations as they don't provide intensive employment opportunities. However, considering the site context, specifically the proximity to residential uses, and the **Mixed Use** designation directly across the street, the addition of these uses is appropriate for the proposed development. The area of the property with the **Business Employment** designation falls within the Noise Exposure Forecast (NEF) Contour 35, associated with the airport operating area, which does not permit sensitive uses such as residential. The proposed commercial uses are acceptable as they are separated from the adjoining residential uses by a CEC road and provide for a use that will not be impacted by airport noise.

As such, staff are supportive of the proposed amendments to the Mississauga Official Plan as they adequately meet the policies relating to Directing Growth, City Structure and the Meadowvale Village Neighbourhood Character Area.

Compatibility and Site Layout

Policies which direct Urban Form in Non-Intensification Areas (MOP policy 9.2.2) state that new development which does not mirror the existing development should respect lotting patterns and the continuity of front, rear and side yard setbacks, while ensuring the quality of the tree canopy and scale, massing and character of the surrounding area (9.2.2.3). Additionally, development along Corridors must site buildings to frame the street (9.2.2.6) and encourage design excellence and safety (9.2.2.5). Proposed development is to have regard for land use and detailed siting, while remaining compatible with planned and existing context.

The proposed development maintains compatibility with the surrounding context. The proposed detached and semi-detached dwellings respect the lotting pattern of the existing dwellings along Oaktree Circle. The proposed back-to-back and street townhouses along the proposed CEC roads maintains a compact lotting pattern which intensifies with an integrated road network at an appropriate scale. As such, the proposed development would adequately support the Urban Form policies for Non-Intensification Areas outlined in the MOP.

Services and Infrastructure

Based on the comments received from the applicable City Departments and external agencies, the existing infrastructure appears to be adequate to support the proposed development. Some additional details are still required to demonstrate some technical details, as outlined in the 'H' Holding Provision section below.

The Region of Peel has advised that there is adequate water and sanitary sewer capacity to service this site but will require more technical details to demonstrate functionality, as outlined in the 'H' Holding Provision section below.

The following community services are located in proximity to the site:

- Golden Hills Park
- Novo Star Park
- Horseshoe Park
- Courtneypark Community Centre and Library

The following major MiWay and Brampton bus routes currently service the site:

- Route 18 – Miway, McLaughlin-Derry
- Route 42 – Miway, Derry
- Route 66 – Miway, McLaughlin
- Route 6 – Brampton Transit, James Potter North and South

There is a transit stop on Derry Rd W at McLaughlin within 112.0 m (367.5 ft.) of the site.

MOP policy 7.1.3 encourages the development of the built environment through the provision of compact built forms, mixed uses, the integration of a variety of travel needs and the integration of recreational land uses. The proposed development is acceptable as it includes a commercial use, amenity space and pedestrian connections to the surrounding neighborhood. Additionally, the proposed development is within a Neighbourhood and has access to existing community uses and transit connections.

In summary, the proposed official plan amendment is found to be acceptable based upon the following:

- The proposal represents intensification that is an appropriate location for infill development along the Derry Road West Corridor
- The building forms and proposed CEC roads provide an appropriate transition that respects adjacent land uses and the surrounding context
- The variation in lot sizes and unit types result in a desirable built form that is compatible with the surrounding neighbourhood
- There is adequate existing municipal infrastructure to support the proposed development

(d) Zoning By-law

The proposed development would be accommodated within six proposed zones: five residential zones and one commercial zone. The residential zones propose various exceptions which are summarized below.

The proposed **H-C2** (Neighbourhood Commercial) zone would facilitate the construction of a small commercial building in the northeast corner of the site, fronting Derry Road West. The proposed exception zones fronting Oaktree Circle are **H-R7-Exception** (Detached Dwellings - Shallow Lots) and **H-RM2-Exception** (Semi-Detached). While detached dwellings are not permitted in the **Medium Density** designation, a Special Site to permit them is proposed. The proposed detached and semi-detached dwellings are compatible with the existing homes on Oaktree Circle and will complete the street. The proposed exception provisions include smaller lot sizes and reduced front, rear and side yards. Both exception zones align with the setbacks and lot sizes along Oaktree Circle.

The proposed **H-RM6-Exception** (Townhouses on a CEC - Road) zone will include a provision to allow driveway access to the rear elevation of these units that will front on Derry Road West. While the proposed 3 storey townhouses will not have rear yards, the units will have balconies and a shared outdoor amenity space within the site. The regulations allow for smaller lot sizes, reduced front, side, and rear yards and a maximum height of 15.0 m (49.2 ft.). The proposed provisions are acceptable, as they maintain appropriate setbacks to Derry Rd W, provide a compact site layout and are compatible with the surrounding built form.

Within the site are the proposed **H-RM6-Exception 2** (Townhouses on a CEC - Road) and **H-RM11-Exception** (Back to Back Townhouses on A CEC - Road) zones. The townhouses will have rear yards, while the back to back townhouses will have balconies. Both exceptions propose smaller lot sizes, reduced front, side, and rear yards and increased maximum heights of 15.0 m (49.2 ft.). The dwellings represent an appropriate form of intensification as they are placed along a corridor and are compatible in terms of built form and scale to the surrounding neighbourhood.

The applications propose to provide 30 visitor parking spaces (0.24 per unit) whereas 31 spaces (0.25 per unit) are required. This is acceptable considering the minimal scale of the deficiency and the provision of an adequate number of resident parking spaces. A parking justification letter was submitted and reviewed in support of the proposed reduction.

A table summarizing the proposed zoning regulations can be found in Appendix 1.

(e) Bonus Zoning/Community Benefit Charge

The *Planning Act* was amended by Bill 197, *COVID-19 Economic Recovery Act*, 2020, S.O. 2020, c. 18. Section 37 height and density bonus provisions have been replaced with a new Community Benefit Charge (CBC).

While the proposed development is more than 10 residential units, it is less than five storeys and therefore CBC charges do not apply.

(f) '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 and regional infrastructure schedules, to the satisfaction of the City and Region
- Receipt of a Draft Reference Plan illustrating the required land dedications, conveyances, and easements including Part Block numbers, to the satisfaction of the City and the Region
- Gratuitous dedication of lands to achieve the ultimate 50.5 m right of way of Regional Road 5 (Derry Road West), as well as a 0.3 m reserve, to the satisfaction of the Region
- Receipt of a revised Functional Servicing and Storm Water Management Report to the satisfaction of the City's Transportation and Works Department and the Region
- Receipt of revised Traffic Impact Study (TIS) to the satisfaction of the City's Transportation and Works Department and the Region
- Receipt of an Engineering Submission for road and access works impacting Derry Road West, to the satisfaction of the Region
- Receipt of a revised Grading and Servicing Plans, to the satisfaction of the City's Transportation and Works and Planning and Building Departments
- Receipt of a revised Noise Feasibility Study to the satisfaction of the City's Planning and Building Department
- Receipt of a revised Phase One and Phase Two Environmental Site Assessment, Storm Sewer Use By-law Acknowledgment and all other documents required for environmental compliance to the satisfaction of the City's Transportation and Works Department
- Receipt of a revised Tree Inventory/Survey, Tree Preservation Plan, and Arborist Report to the satisfaction of the City's Planning and Building department

3. Affordable Housing

In October 2017 City Council approved *Making Room for the Middle – A Housing Strategy for Mississauga* which identified housing affordability issues for low and moderate incomes in the city. In accordance with the Provincial Growth Plan (2019) and Amendment No. 1 (2020), *Provincial Policy Statement* (2020), Regional Official Plan and Mississauga Official Plan (MOP), the City requests that proposed multi-unit residential developments incorporate a mix of units to accommodate a diverse range of incomes and household sizes.

Applicants proposing non-rental residential developments of 50 units or more requiring an official plan amendment or rezoning for additional height and/or density beyond as-of-right permissions will be required to demonstrate how the proposed development is consistent with/conforms to Provincial, Regional and City housing policies. The City's official plan indicates that the City will provide opportunities for the provision of a mix of housing types, tenures and at varying price points to accommodate households. The City's annual housing targets by type are

contained in the Region of Peel Housing and Homelessness Plan 2018-2028
<https://www.peelregion.ca/housing/housinghomelessness/pdf/plan-2018-2028.pdf>.

To achieve these targets, the City is requesting that a minimum of 10% of new ownership units be affordable. The 10% contribution rate will not be applied to the first 50 units of a development. The contribution may be in the form of on-site or off-site units, land dedication, or financial contributions to affordable housing elsewhere in the city.

The City Planning Strategies Division has requested the applicant to consider opportunities to provide the requested 7 affordable housing units (10% of the unit total) by providing middle-income affordable ownership units, affordable rental units, off-site land contributions, or financial contributions to affordable middle income housing elsewhere. The applicant has stated that given the provision of a mix of larger housing typologies, the proposal does not contemplate units that are considered generally affordable to middle income households.

4. Next Steps

(a) Site Plan

Prior to development of the lands, the applicant will be required to obtain site plan approval.

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 adhering to the common element condominium requirements, indicating replacement tree planting and protective hoarding, and various technical site layout requirements. Through the site plan process, further refinements are anticipated for the design of the townhouse elevations, access to Derry Road West as per Regional standards, and location of sidewalks throughout the site.

(b) 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 2.

The lands are the subject of a Draft Plan of Subdivision. Development will be subject to the completion of services and registration of the plan.

Financial Impact

In accordance with the amended application processing timelines enforced through Bill 109, a municipality is required to make a decision on Official Plan Amendment and Rezoning applications within 120 days of the application being deemed complete, otherwise the municipality is required to refund the submitted application fees to the applicant. This application was deemed complete on February 22, 2024. Should a decision not be made and the relevant MOPA and By-law not enacted for the applications by June 20, 2024, the municipality is required to refund the City's portion of the planning application fees to the applicant, in the amount \$137,066.00.

Engagement and Consultation

1. Community Feedback

A virtual community meeting was held by Ward 11 Councillor, Brad Butt, on June 20, 2023. No residents attended the community meeting and no written correspondence have been received.

2. Departmental and Agency Comments

The applications were circulated to all City departments and commenting agencies on February 22, 2024. The following section summarizes the comments received. Refer to Appendix 1 for detailed comments.

(a) Region of Peel

Comments dated May 6, 2024, state that the Region supports the proposed development's use of the existing 250 mm sewer along Derry Road West. Additional technical details and revisions are required to the Functional Servicing and Stormwater Management Report and Traffic Impact Study, as well as land dedications through the holding provision. For full technical comments see Appendix 1.

(b) City Transportation and Works Department

Comments dated April 26, 2024, state that technical reports and drawings have been reviewed to ensure that engineering matters related to noise, grading, servicing, stormwater management, traffic, and environmental compliance, have been satisfactorily addressed to confirm feasibility of the project, in accordance with City requirements.

Based on a review of the materials submitted to date, staff are generally satisfied with the details provided to confirm the feasibility of the development proposal from an engineering standpoint. Additional technical matters will need to be satisfactorily addressed to facilitate the implementation of the engineering requirements as part of an 'H' Holding provision and through the related Subdivision Conditions of Draft Plan Approval (see Appendix 1 for detailed staff comments).

(c) City Community Services Department

Comments dated May 3, 2024, state that the subject property meets parkland provision standards and is in proximity to various city owned outdoor amenities. 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 (R.S.O. 1990, c.P. 13, as amended) and in accordance with City's Policies and Bylaws. For full technical comments see Appendix 1.

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Originator's files: OZ/OPA 24-2 W11 and T-M24001 W11

(d) Dufferin-Peel Catholic District School Board and Peel District School Board

Comments dated March 1, 2024, from the Dufferin Peel Catholic School Board state that the Board is satisfied with the current provision of educational facilities for the catchment area in which the subject application is located. The City of Mississauga school accommodation condition need not be applied.

Comments dated March 12, 2024 from the Peel District School Board state that sufficient accommodation may not be available for all anticipated students in the neighbourhood schools, and future residents will be notified through warning clauses in the agreement of purchase and sale, and by signs placed on the site. The school board advises that some students may be accommodated in temporary facilities or bused to schools outside of the area.

Refer to Appendix 1 for the School Accommodations Summary by school board.

Conclusion

In conclusion, City staff have evaluated the applications to permit 120 CEC townhouses, semi-detached and detached dwellings and a commercial building against the *Provincial Policy Statement*, the *Growth Plan for the Greater Golden Horseshoe*, Region of Peel Official Plan and Mississauga Official Plan. Staff found that the proposed Official Plan Amendment to **Residential Medium Density** and **Business Employment** conforms with the relevant provincial, regional and city policies for appropriate land use.

The proposed rezoning to permit **H-R7-Exception** (Detached Dwellings - Shallow Lots), **H-RM2-Exception** (Semi-Detached), **H-RM6-Exception** (Townhouses on a CEC - Road), **H-RM11-Exception** (Back to Back Townhouses On A CEC - Road) and **H-C2** (Neighbourhood Commercial) contain acceptable performance regulations.

The proposed development maintains the goals and objectives of the Mississauga Official Plan and is compatible with the surrounding neighbourhood. The proposed official plan amendment, rezoning and draft plan of subdivision applications are acceptable from a planning standpoint and should be approved subject to the conditions contained in this report.

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: Supplementary Information
- Appendix 2: City Conditions of Approval

Planning and Development Committee

2024/05/15

17.2

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Originator's files: OZ/OPA 24-2 W11 and T-M24001 W11



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

Prepared by: Emma Bunting, Development Planner

Supplementary Information

Owner: 2799580 Ontario Limited (Ballymore Homes)

376, 390 Derry Road West and 0 Oaktree Circle

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1 Concept Plan, Elevations, Renderings, Draft Plan of Subdivision



Proposed Concept Plan



Proposed 'Rear Lane Townhouse' Front Elevations (Derry Road West Elevation)



Proposed 'Rear Lane Townhouse' Rear Elevations (CEC Road Elevation)





Proposed Street Townhouse Rear Elevation (Internal Site Elevation)



Proposed Detached Dwelling Front and Rear Elevation (Oaktree Circle, CEC Road and Internal Site Elevations)



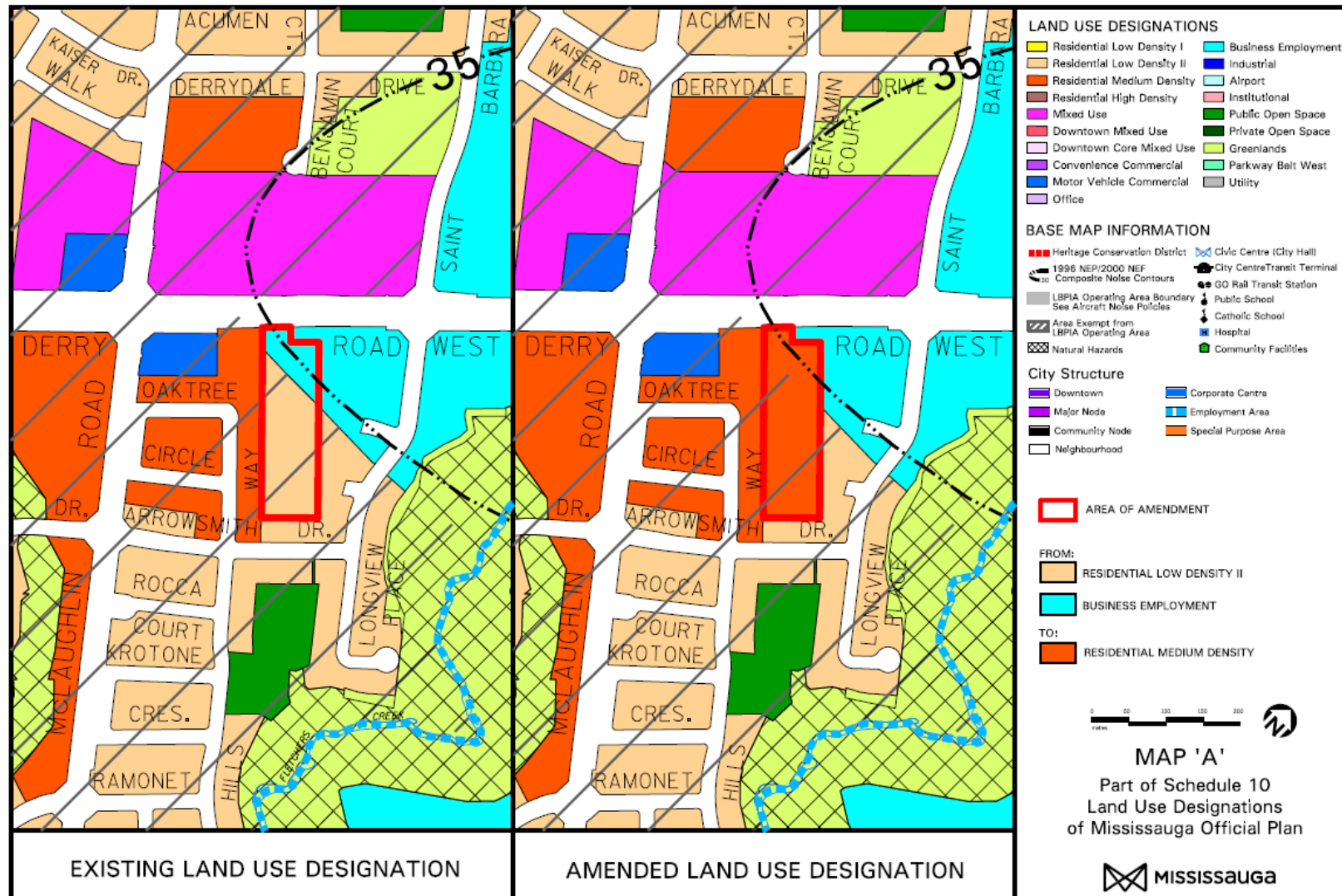


Proposed Draft Plan of Subdivision

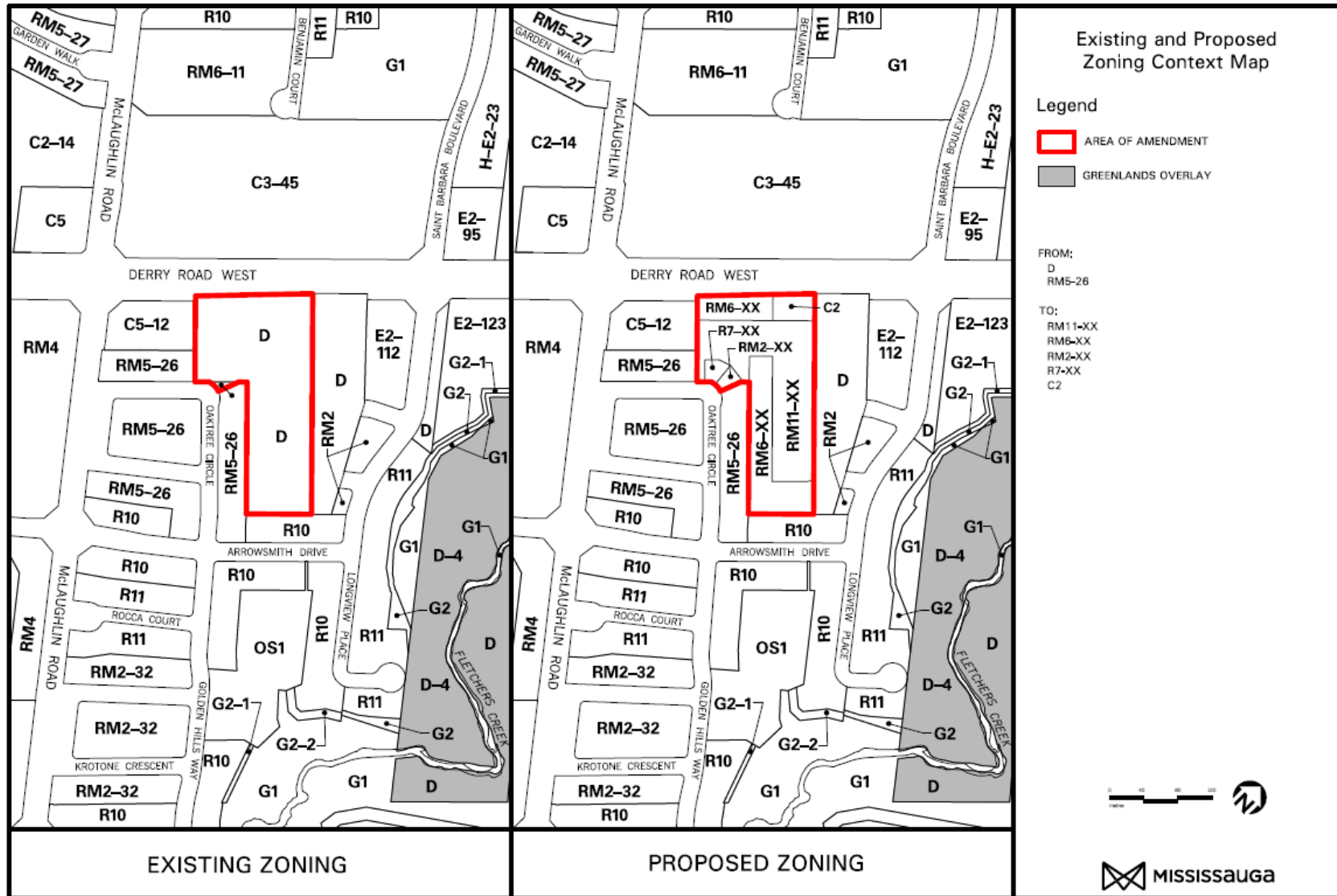
2. Development Proposal Statistics

Applications submitted:	Received: December 15, 2023 Deemed complete: February 22, 2024 120 days from complete application: June 20, 2024	
Developer/ Owner:	2799580 Ontario Limited (Ballymore Homes)	
Applicant:	Glen Schnarr & Associates, Jim Levac	
Total Number of Units:	124 units	
Unit Mix:	48 Common Element Condominium townhouses, 3 bedroom units 72 Common Element Condominium back to back townhouses, 3 bedroom units 2 semi-detached dwellings, 3 bedroom units 2 detached dwellings, 4 bedroom units	
Height:	2-3 storeys / 15 m (49.2 ft.)	
Outdoor Amenity Area (per unit):	6.5 m ² (70.0 ft. ²)	
Road Type:	Common element condominium (CEC) private road	
Anticipated Population:	378* *Average household sizes for all units (by type) based on the 2016 Census	
Parking: Resident Spaces Visitor Spaces Total	Required: Resident Spaces – 2.0 spaces / unit = 248 spaces Visitor Spaces – 0.25 spaces / unit = 31 spaces Total – 279 spaces	Provided: Resident Spaces – 2.0 spaces / unit = 248 spaces Visitor Spaces – 0.24 spaces / unit = 30 spaces Total – 278 spaces
Green Initiatives:	Not specified by applicant	

3. Existing and Proposed Development Official Plan Map



4. Existing and Proposed Development Zoning By-law Map



5. Applicant Proposed Zoning Regulations

Proposed C2 (Neighbourhood Commercial) Zone

Zone Regulations	Existing D (Development) Zone Regulations	Proposed C2 (Neighborhood Commercial) Base Zone Regulations
Permitted Use	A building or structure legally existing on the date of passing of the By-law and the existing legal use of such building or structure	Retail Store, Restaurant, Convenience Restaurant, Take-Out Restaurant, Veterinary Clinic, Animal Care Establishment, Funeral Establishment, Service Establishment, Commercial School, Financial Institution, Medical Office, Office, Recreational Establishment, Entertainment Establishment, Private club, and University/College
Minimum Front Yard	7.5 m (24.6 ft.)	4.5 m (14.8 ft.)
Minimum Exterior Side Yard	7.5 m (24.6 ft.)	4.5 m (14.8 ft.)
Minimum Interior Side Yard	7.5 m (24.6 ft.)	N/A
Minimum Interior Side Yard; Lot abutting Residential Zone	N/A	6.0 m (19.7 ft.)
Minimum Interior Side Yard; Lot abutting Institutional, Office, Downtown Core, Employment, Buffer, or Utility Zone	N/A	4.5 m (14.8 ft.)
Minimum Rear Yard	7.5 m (24.6 ft.)	N/A
Minimum Rear Yard; Lot abutting Residential Zone	N/A	6.0 m (19.7 ft.)
Minimum Rear Yard; Lot abutting Institutional, Office, Downtown Core, Employment, Buffer, or Utility Zone	N/A	4.5 m (14.8 ft.)
Maximum Height	10.7 m (35.1 ft.)	N/A

Zone Regulations	Existing D (Development) Zone Regulations	Proposed C2 (Neighborhood Commercial) Base Zone Regulations
Maximum Height; Sloped roof	N/A	20 m (65.6 ft.) and 4 storeys
Maximum Height; Flat roof	N/A	16.5 m (54.1 ft.) and 4 storeys
Minimum depth of landscaped buffer measured from a lot line that is a street line	N/A	4.5 m (14.8 ft.)
Minimum depth of landscaped buffer measured from a lot line where the lot line abuts a Institutional, Office, Downtown Core, Employment, Buffer or Utility Zone, or any combination of zones thereof	N/A	3.0 m (9.8 ft.)
Minimum depth of landscaped buffer measured from any other lot line	N/A	4.5 m (14.8 ft.)
	Note: The provisions listed are based on information provided by the applicant, which is subject to revisions as the applications are further refined. 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.	

Proposed R7-Exception (Detached Dwellings - Shallow Lots) Zone

Zone Regulations	Existing D (Development) Zone Regulations	Proposed R7 (Detached Dwellings - Shallow Lots) Base Zone Regulations	Proposed Amended R7 (Detached Dwellings - Shallow Lots - Exception) Zone Regulations
Minimum Lot Area – Interior Lot	N/A	285 m ² (3,067.7 ft ²)	215 m ² (2,314.2 ft ²)
Minimum Lot Frontage – Interior Lot	N/A	11 m (36.1 ft.)	9.1 m (29.9 ft.)
Minimum Rear Yard	7.5 m (24.6 ft.)	7.0 m (23.0 ft.)	6.0 m (19.7 ft.)
	Note: The provisions listed are based on information provided by the applicant, which is subject to revisions as the applications are further refined. 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.		

Proposed RM2-Exception (Semi-Detached) Zone

Zone Regulations	Existing D (Development) Zone Regulations	Existing RM5-26 (Street Townhouses – Exception) Zone Regulations	Proposed RM2 (Semi-Detached) Base Zone Regulations	Proposed Amended RM2 (Semi-Detached - Exception) Zone Regulations
Permitted Use	A building or structure legally existing on the date of passing of the By-law and the existing legal use of such building or structure	Street Townhouse, Semi-detached	Detached dwelling in compliance with R4 and R5 regulations; Semi-detached	Detached dwelling in compliance with R5 regulations; Semi-detached
Minimum Lot Area – Interior Lot	N/A	200 m ² (2,152.8 ft ²)	200 m ² (2,152.8 ft ²)	190 m ² (2,045.1 ft ²)

Zone Regulations	Existing D (Development) Zone Regulations	Existing RM5-26 (Street Townhouses – Exception) Zone Regulations	Proposed RM2 (Semi- Detached) Base Zone Regulations	Proposed Amended RM2 (Semi-Detached - Exception) Zone Regulations
Minimum Rear Yard	7.5 m (24.6 ft.)	7.5 m (80.7 ft.)	7.5 m (80.7 ft.)	6.0 m (64.6 ft.)
		Note: The provisions listed are based on information provided by the applicant, which is subject to revisions as the applications are further refined. 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.		

Proposed RM6-Exception (Townhouses on a CEC - Road) Zones

Zone Regulations	Existing D (Development) Zone Regulations	Proposed RM6 (Townhouses on a CEC – Road) Base Zone Regulations	Proposed Amended RM6 (Townhouses on a CEC – Road) - Exception Zone Regulations (Blocks 1 and 2)	Proposed Amended RM6 (Townhouses on a CEC – Road) – Exception Zone Regulations (Blocks 5 to 9)
Centreline Setbacks	N/A	Where a lot abuts a 45.0 m (147.6 ft.) right of way or a 0.3 m (1 ft.) reserve, the minimum distance between the nearest part of any building or structure to the centreline of the right-of-way shall be 22.5 m (73.8 ft.) and required yard/setback	Delete provision	N/A
Required number of	N/A	Visitor spaces per unit - 31	Shared visitor spaces - 30	Shared visitor spaces - 30

Zone Regulations	Existing D (Development) Zone Regulations	Proposed RM6 (Townhouses on a CEC – Road) Base Zone Regulations	Proposed Amended RM6 (Townhouses on a CEC – Road) - Exception Zone Regulations (Blocks 1 and 2)	Proposed Amended RM6 (Townhouses on a CEC – Road) – Exception Zone Regulations (Blocks 5 to 9)
parking spaces for residential uses : Condominium Townhouse on a CEC-road :				
Garage Regulations	N/A	A deck is not permitted on top, above or projecting from an attached or detached garage	A deck is permitted above an attached garage	-
Common Element Condominium (CEC)	N/A	CEC - visitor parking spaces shall be provided within a common element area	CEC - visitor parking spaces shall be provided within a common element area and in abutting zones	CEC - visitor parking spaces shall be provided within a common element area and in abutting zones
Minimum Lot Area : Interior Lot	N/A	115 m ² (1,237.9 ft ²)	100 m ² (1,076.4 ft ²)	-
Minimum Lot Area : CEC – Corner Lot	N/A	190 m ² (2,045.1 ft ²)	160 m ² (1,722.2 ft ²)	168 m ² (1,808.3 ft ²)
Minimum Front Yard : Interior lot/CEC – corner lot	7.5 m (24.6 ft.)	4.5 m (14.8 ft.)	3 m (9.8 ft.)	-
Minimum Exterior Side Yard : Lot with an exterior side lot line abutting a CEC – road	7.5 m (24.6 ft.)	4.5 m (14.8 ft.)	-	1.5 m (4.9 ft.)
Minimum Rear Yard :	7.5 m (24.6 ft.)	7.5 m (24.6 ft.)	1.0 m (3.3 ft.)	-

Zone Regulations	Existing D (Development) Zone Regulations	Proposed RM6 (Townhouses on a CEC – Road) Base Zone Regulations	Proposed Amended RM6 (Townhouses on a CEC – Road) - Exception Zone Regulations (Blocks 1 and 2)	Proposed Amended RM6 (Townhouses on a CEC – Road) – Exception Zone Regulations (Blocks 5 to 9)
Interior lot/CEC – corner lot				
Maximum Height	10.7 m (35.1 ft.)	10.7 m (35.1 ft.) and 3 storeys	15.0 m (49.2 ft.) and 3 storeys	15.0 m (49.2 ft.) and 3 storeys
Minimum Landscaped Area	N/A	25% of lot area	10% of lot area	10% of lot area
Maximum Driveway Width	N/A	3.0 m (9.8 ft.)	5.5 m (18.0 ft.)	-
	Note: The provisions listed are based on information provided by the applicant, which is subject to revisions as the applications are further refined. 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.			

Proposed RM11-Exception (Back To Back Townhouses On A CEC - Road) Zone

Zone Regulations	Existing D (Development) Zone Regulations	Proposed RM11 (Back To Back Townhouses On A CEC - Road) Base Zone Regulations	Proposed Amended RM11 (Back To Back Townhouses On A CEC - Road - Exception) Zone Regulations
Required number of parking spaces for residential uses : Condominium Townhouse on a CEC-road :	N/A	Visitor spaces per unit – 31	Shared visitor spaces – 30
Common Element Condominium (CEC)	N/A	CEC – visitor parking spaces shall be provided within a	CEC – visitor parking spaces shall be provided within a

Zone Regulations	Existing D (Development) Zone Regulations	Proposed RM11 (Back To Back Townhouses On A CEC - Road) Base Zone Regulations	Proposed Amended RM11 (Back To Back Townhouses On A CEC - Road - Exception) Zone Regulations
		common element area	common element area and in abutting zones
Minimum Lot Frontage – CEC – Corner Lot	N/A	8.3 m (27.2 ft.)	7.6 m (24.9 ft.)
Minimum setback from a lot with any side lot line abutting a CEC – road	N/A	4.5 m (14.8 ft.)	2.0 m (6.6 ft.)
Maximum driveway width	N/A	2.6 m (8.5 ft.)	3.0 m (9.8 ft.)
Minimum CEC – landscaped buffer abutting any side and rear lot line	N/A	3.0 m (9.8 ft.)	0.0 m (0.0 ft.)
	Note: The provisions listed are based on information provided by the applicant, which is subject to revisions as the applications are further refined. 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.		

6. Departmental and Agency Comments

Agency / Comment Date	Comments
Region of Peel (May 6, 2024)	The Region has reviewed the Functional Servicing and Stormwater Management Report prepared by SCS Consulting Group Ltd, dated December 2023. Based on the proposed flows within the Functional Servicing Report, the Region prefers wastewater from the development discharge to the existing 250 mm diameter sewer on Derry Rd W, excluding Oaktree Circle addresses. A revised Functional Servicing Report, detailing the fire flow calculations depending on the final design of the buildings and details on the pressure reducing valve on Oaktree Circle, will need to be further assessed by the developer and can be addressed through a holding provision. The Region will require a satisfactory Traffic Impact Study and land dedications through the holding provision.
Dufferin-Peel Catholic District School Board and the Peel District School Board (March 1, 2024 and March 12, 2024)	Neither school board raised objections to the proposed development and provided warning clauses to include within the required Development Agreement. Please see full comments Section 7
City Community Services Department – Park Planning Section (May 3, 2024)	Comments dated May 3, 2024, state that the subject property is in the Meadowvale Village Neighbourhood Character Area and as established in the 2022 Parks Plan, the parkland provision standard of 1.2 ha (3 ac) per 1000 people is being achieved. The Parkland Character Area is well served with 4.2 ha (10.4 ac) per 1000 people (2021) and the subject property is within 400m walking distance to a City owned playground accessible to future residents. Samuel Common (P-444) is within 340 m (1,120 feet) of the proposed development which includes amenities such as a playground, open space, trails, soccer pitch and picnic area. Furthermore, 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 (R.S.O. 1990, c.P. 13, as amended) and in accordance with City's Policies and Bylaws.

Agency / Comment Date	Comments
City Transportation and Works Department (April 26, 2024)	Based on a review of the information submitted to date, staff are generally satisfied that the materials submitted are in accordance with City requirements. However, additional technical details are required to facilitate the implementation of the engineering requirements, as follows: <u>Stormwater:</u> A Stormwater Management and Functional Servicing Report (SWM and FSR), prepared by SCS Consulting Group Ltd. dated December 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. To mitigate the change in impervious areas from the proposed development and/or impact to the receiving municipal drainage system, on-site stormwater management control for the post-development discharge is required. The applicant has proposed to construct a storm system to service the development lands, with an outlet to Oaktree Circle. Based on a review of the materials submitted to date, this section is generally satisfied with the overall stormwater management strategy to confirm the feasibility of the development proposal from an engineering standpoint. Additional technical matters, including establishing allowable flow rates to determine storage requirements will need to be satisfactorily addressed to facilitate the implementation of the engineering requirements as part of an 'H' Holding provision. <u>Traffic:</u> A Traffic Impact Study (TIS) prepared by Tatham Engineering was provided in support of the proposed development. The submission was reviewed and audited by staff. Based on the submission, dated December 2023, staff are generally satisfied from a feasibility perspective but will require additional information, including turning movement diagrams, updated trip generation and land dedications and conveyances, to ensure that City requirements are adequately addressed. The study concluded that the proposed development is anticipated to generate 68 (25 in, 43 out) and 80 (44 in, 36 out) net two-way site trips for the weekday AM and PM peak hours in 2031, respectively.

Agency / Comment Date	Comments
	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. <u>Environmental Compliance:</u> A phase one ESA dated June 23, 2023, prepared by Soil Engineers Ltd., and a phase two ESA dated February 1, 2023, prepared by Soil Engineers Ltd., were submitted in support of the proposed development. Environmental Engineering is satisfied with the feasibility of the proposed development; however, the following is required to be submitted: • Updated Phase Two ESA report dated June 30, 2023, as referenced in the Reliance Letter dated December 5, 2023. • A letter certified by a Qualified Person (QP) stating that land to be dedicated to the City is environmentally suitable for the proposed use. • A signed Temporary Discharge to Storm Sewer Commitment Letter. • A written document prepared by a Professional Engineer that includes a plan to decommission the existing wells, or that provides proof of decommissioning. • A written document, prepared by a QP that includes a statement regarding the fill material located on-site is geotechnically and environmentally suitable, or will otherwise, be or has been, removed from the site. • A written document prepared by a Professional Engineer that includes a plan to decommission the underground/aboveground storage tank (UST/AST), or that provides proof of decommissioning. As the land use is changing from a less sensitive to a more sensitive use, a Record of Site Condition (RSC) is required to be filed in accordance with Ontario Regulation 153/04 prior to enactment of the rezoning by-law. A copy of the RSC and all supporting documentation must be provided to the City once it has been acknowledged by the Ontario Ministry of the Environment, Conservation and Parks. <u>Noise:</u>

Agency / Comment Date	Comments
	A noise report prepared by Valcoustics Canada Ltd. dated September 13, 2023, was submitted in support of the proposed development. The Noise Report evaluated the potential acoustical impact to the proposed development and recommended mitigation measures to reduce any negative impacts. Noise sources that may have an impact on this development include road traffic (Derry Road West and McLaughlin Road), air traffic from Pearson International Airport, and the adjacent Petro-Canada Gas Bar and Car Wash. The submitted noise assessment confirms that noise mitigation will be required, including ventilation requirements such as provisions for central air conditioning, and upgraded building materials, the details of which will be confirmed through the detailed design of the subdivision and through the site plan and building permit processes. <u>Engineering Plans/Drawings:</u> The applicant has submitted a number of technical plans and drawings, and staff are generally satisfied with the details provided to confirm feasibility of the development proposal from an engineering standpoint. Should the application be approved, additional technical and engineering items will need to be satisfactorily addressed to facilitate the implementation of the zoning by-law through a 'H' Holding Provision. The 'H' Holding Zone provision can be lifted upon: • Delivery of an executed Development Agreement in a form and on terms satisfactory to the City of Mississauga. • Provision for land Dedications and conveyances to the satisfaction of the City of Mississauga. • Receipt of any outstanding, updated, or additional technical reports, studies, documents, drawings/plans, to the satisfaction of the City of Mississauga and any other applicable authority, including but is not limited to: ○ Updated Transportation Impact Study (TIS). ○ Documentation to demonstrate the satisfactory implementation of the proposed storm system. ○ Documentation to demonstrate that there will be no impact on the City's existing drainage system, including how groundwater will be managed on-site. ○ Record of Site Condition and all supporting reports and documentation.

Agency / Comment Date	Comments
	○ Letter certified by a Qualified Person (QP) stating that land to be dedicated to the City is environmentally suitable for the proposed use. ○ Signed Temporary Discharge to Storm Sewer Commitment Letter. ○ Documents prepared by a Professional Engineer that confirm the decommission of any existing wells, that confirm the fill material located on-site is geotechnically and environmentally suitable, or will otherwise be, or has been, removed from the site, and that confirm the decommission of the underground/aboveground storage tank.
Other City Departments and External Agencies	The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner: - Heritage Planner - Transit Reviewer - Transit Infrastructure - CS Viamonde - Rogers Cable - Enbridge - Alectra Utilities
	The following City Departments and external agencies were circulated the applications but provided no comments: - Public Art Coordinator - Arborist Streetscape - Arborist City Property - Landscape Architect – Community Services - Enbridge Pipeline Inc - Trillium Health Partners

7. School Accommodation Summary

The Peel District School Board

Student Yield	School Accommodation		
29 Kindergarten to Grade 6	Derry West Village Elementary School	David Leeder Middle School	Mississauga Secondary School
13 Grade 7 to Grade 8			
11 Grade 9 to Grade 12	Enrolment: 408 Capacity: 625 Portables: 0	Enrolment: 735 Capacity: 896 Portables: 0	Enrolment: 1,036 Capacity: 1,556 Portables: 0

The school board has provided clauses to be included in Subdivision Agreement, which require signage to be placed at the entrances to the development, alerting prospective purchasers that some of the children from the development may have to be accommodated in temporary facilities or bused to schools. The same clause must be included in the Agreement of Purchase and Sale.

The Dufferin-Peel Catholic District School Board

Student Yield	School Accommodation	
19 Kindergarten to Grade 8	St. Veronica Catholic Elementary School	St. Marcellinus Catholic Secondary School
9 Grade 9 to Grade 12	Enrolment: 254 Capacity: 605 Portables: 0	Enrolment: 1725 Capacity: 1509 Portables: 6

The school board has stated that the proposed development can be accommodated with the current provision of educational facilities within the catchment area and the school accommodation condition need not be applied.



**SCHEDULE A
CONDITIONS OF APPROVAL**

NOTICE OF DECISION TO APPROVE:	TBD
FILE:	T-M24001 W11
SUBJECT:	Draft Plan of Subdivision BLOCK 176, PLAN 43M1484; T/W EASE OVER PT LT 10, CONC 1 WHS(TOR.TWP.) DES PTS 1 TO 4, 43R18000 AS IN LT1161656 376, 390 Derry Road West, 0 Oaktree Circle City of Mississauga 2799580 ONTARIO LIMITED (Ballymore Homes)

In accordance with By-law 1-97, as amended, the Commissioner, Planning and Building Department has made a decision to approve the above noted draft plan of subdivision subject to the lapsing provisions and conditions listed below.

Approval of a draft plan of subdivision granted under Section 51 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, will be valid until approval is either withdrawn or the plan is registered. Approval may be withdrawn by the Commissioner, Planning and Building Department if approval of the final plan has not been given three (3) years after the date of approval of the draft plan.

NOTE: City is "The Corporation of the City of Mississauga"

- 1.0 Approval of the draft plan applies to the plan dated September 11, 2023.
- 2.0 That the owner agree, in writing, to satisfy all the requirements, financial and otherwise of the City.
- 3.0 The applicant/owner shall enter into a Subdivision Agreement including Municipal Infrastructure Schedules, and any other necessary agreements, in a form satisfactory to the City, prior to ANY development within the plan. These agreements may deal with matters including, but not limited to, the following: engineering matters such as municipal services, road widenings, land dedications, public easements, construction and reconstruction, signals, grading, fencing, noise mitigation, and warning clauses; financial issues such as cash contributions, levies (development charges), land dedications or reserves, securities or letters of credit; planning matters such as residential reserve blocks, buffer blocks, site development plan and landscape plan approvals; conservation and environmental matters; phasing and insurance. THE DETAILS OF THESE REQUIREMENTS ARE CONTAINED IN COMMENTS FROM DEPARTMENTS OF THE CITY AND REGION AS CONTAINED IN THE APPLICATION STATUS REPORT DATED APRIL 30, 2024, THAT CORRESPONDS WITH

THE RESUBMISSION DATED FEBRUARY 22, 2024 AND REMAIN APPLICABLE. THESE COMMENTS HAVE BEEN PROVIDED TO THE APPLICANT OR THEIR CONSULTANTS AND FORM PART OF THESE CONDITIONS.

- 4.0 All processing and administrative fees shall be paid prior to the registration of the plan. Such fees will be charged at prevailing rates of approved City Policies and By-laws on the day of payment.
- 5.0 The applicant/owner shall agree to convey/dedicate, gratuitously, any required road or highway widenings, 0.3 m (1 ft.) reserves, walkways, sight triangles, buffer blocks and utility or drainage easements to the satisfaction of the City.
- 6.0 The applicant/owner shall provide all outstanding reports, plans or studies required by departmental comments.
- 7.0 That a Zoning By-law for the development of these lands shall have been passed under Section 34 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, and be in full force and effect prior to registration of the plan.
- 8.0 The proposed streets shall be named to the satisfaction of the City. In this regard, a list of street names shall be submitted to the City Transportation and Works Department as soon as possible after draft plan approval has been received and prior to any servicing submissions. The owner is advised to refer to the Region of Peel Street Names Index to avoid proposing street names which conflict with the approved or existing street names on the basis of duplication, spelling, pronunciation, and similar sounding.
- 9.0 Prior to execution of the Subdivision Agreement, the developer shall name to the satisfaction of the City Transportation and Works Department the telecommunications provider.
- 10.0 Prior to execution of the Subdivision Agreement, the developer must submit in writing, evidence to the Commissioner of the City Transportation and Works Department, that satisfactory arrangements have been made with the telecommunications provider, Cable TV and Hydro for the installation of their plant in a common trench, within the prescribed location on the road allowance.
- 11.0 That prior to signing of the final plan, the Commissioner of Planning and Building is to be advised that all of the above noted conditions have been carried out to the satisfaction of the appropriate agencies and the City.

NOTE: The City has not required either the dedication of land for park or other public recreational purposes, or a payment of money in lieu of such conveyance as a condition of subdivision draft approval authorized by Section 51.1 of the *Planning Act*, R.S.O. 1990, c.P13 as amended. The City will require payment of cash-in-lieu for park or other public recreational purposes as a condition of development for each lot and block, prior to the issuance of building permits pursuant to Section 42(6) of the *Planning Act*, R.S.O. 1990, c.P13, as amended, and in accordance with the City's policies and by-laws.

THE REQUIREMENTS OF THE CITY WILL BE EFFECTIVE FOR THIRTY-SIX (36) MONTHS FROM THE DATE THE CONDITIONS ARE APPROVED BY THE COMMISSIONER, PLANNING AND BUILDING DEPARTMENT. AFTER THIS DATE REVISED CONDITIONS WILL BE REQUIRED. NOTWITHSTANDING THE SERVICING REQUIREMENTS MENTIONED IN SCHEDULE A, CONDITIONS OF APPROVAL, THE STANDARDS IN EFFECT AT THE TIME OF REGISTRATION OF THE PLAN WILL APPLY.

A by-law to Adopt Mississauga Official Plan Amendment No. 174

WHEREAS in accordance with the provisions of sections 17 or 21 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, ("*Planning Act*") Council may adopt an Official Plan or an amendment thereto;

AND WHEREAS, pursuant to subsection 17(10) of the *Planning Act*, the Ministry of Municipal Affairs and Housing authorized the Regional Municipality of Peel, ("Region" or "Regional"), an approval authority, to exempt from its approval any or all proposed Local Municipal Official Plan Amendments;

AND WHEREAS, Regional Council passed By-law Number 1-2000 which exempted all Local Municipal Official Plan Amendments adopted by local councils in the Region after March 1, 2000, provided that they conform with the Regional Official Plan and comply with conditions of exemption;

AND WHEREAS, the Commissioner of Public Works for the Region has advised that, with regard to Amendment No. 174, in his or her opinion the amendment conforms with the Regional Official Plan and is exempt;

AND WHEREAS, Council desires to adopt certain amendments to Mississauga Official Plan regarding a change in the land use designation within the Meadowvale Village Neighbourhood Character Area;

NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

- 1. The document attached hereto, constituting Amendment No. 174 to Mississauga Official Plan, is hereby adopted.

ENACTED and PASSED this _____ day of _____, 2024.

Approved by Legal Services City Solicitor City of Mississauga

Katie Pfaff
Date: June 4, 2024
File: OZ-OPA 24-2 W11

MAYOR

CLERK