



Corporate Report

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MG.11.MIL

DATE: March 14, 2006

TO: Chair and Members of Planning and Development Committee
Meeting Date: April 3, 2006

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Region of Halton – Proposed Regional Official Plan Amendment
for 5768 Ninth Line**

- RECOMMENDATION:**
1. That the Region of Halton be advised that the City of Mississauga supports the Town of Milton in the refusal of applications LOPA 6/99 and Z-20/99 for amendments to the Town of Milton Official Plan and Zoning By-law to permit the development of a service station with a convenience store, car wash and drive-through restaurant on lands known municipally as 5768 Ninth Line and legally described as Part of Lot 5, Concession IX, Town of Milton (Trafalgar), Regional Municipality of Halton.
 2. That the Region of Halton be advised that the City of Mississauga supports the Town of Milton in not supporting application RQ24A for an amendment to the Region of Halton Official Plan to permit the development of a service station with a convenience store, car wash and drive-through restaurant on lands known municipally as 5768 Ninth Line.
 3. That a copy of the report titled “Region of Halton – Proposed Regional Official Plan Amendment for 5768 Ninth Line” dated March 14, 2006 from the Commissioner of Planning and Building be forwarded, by the City Clerk, to the Region of Halton, the Town of Milton, the Town of Oakville and the Region of Peel.

BACKGROUND:

The purpose of this report is to inform City Council of an application to amend the Region of Halton Official Plan, and the Town of Milton Official Plan and Zoning By-Law to permit the development of a service station with a convenience store, car wash and a drive-through restaurant at 5768 Ninth Line, located in the Town of Milton.

On February 14, 2000, the Town of Milton Administration and Planning Committee deferred a decision on the proposed development for the subject lands, pending the completion of a land use study for the Ninth Line Corridor. The Ninth Line Corridor is bounded by Ninth Line to the east, Highway 401 to the north, Highway 407 to the west, and Highway 403 to the south.

The Ninth Line Corridor land use study has now been completed. Results of the study are contained in the Region of Halton Official Plan Amendment No. 28 (ROPA No. 28) and seek to protect the Ninth Line Corridor for the development of the Highway 407 Transitway and its associated infrastructure, while permitting uses for the remainder of the corridor that complement and support a transit line. Halton Regional Council adopted ROPA No. 28 on November 16, 2005.

A portion of ROPA No. 28 has been appealed by the City of Mississauga to the Ontario Municipal Board. The appeal refers only to lands at the southwest corner of Ninth Line and the St. Lawrence and Hudson Railway. The City has no concerns with the remainder of the development objectives established in ROPA No. 28. As part of the Highway 407 Transitway, a Transitway Station is contemplated to the south of the subject lands.

With the Ninth Line Corridor study completed, the application to amend the Region of Halton Official Plan, and the Town of Milton Official Plan and Zoning By-law at 5768 Ninth Line has been reconsidered by the Town of Milton.

On February 27, 2006, Town of Milton Council adopted the following recommendation:

1. “That applications LOPA 6/99 and Z-20/99 for amendments to the Town of Milton Official Plan and Zoning By-law to permit the development of a service station with a convenience store, car wash and drive-through restaurant on lands know municipally as 5768 Ninth Line and legally described as Part of Lot 5, Concession IX, Town of Milton (Trafalgar), Regional Municipality of Halton, BE DENIED; and
2. That the Region of Halton be advised that the Town of Milton Council does not support application RQ24A for an amendment to the Region of Halton Official Plan.”

The Town of Milton does not support the proposed development for 5768 Ninth Line because the subject lands are located adjacent to the future Britannia Transitway Station on the Highway 407 Transitway identified by the Ninth Line Corridor study and ROPA No. 28. Unlike the proposed development, land uses adjacent to the station are envisioned to be transit supportive. In the Town’s opinion, the proposed uses are not transit supportive and consequently would not be consistent with the land uses and vision proposed for the area by the Ninth Line Corridor study and ROPA No. 28.

The Region of Halton is also re-evaluating the applicant’s proposal for 5768 Ninth Line, and is seeking updated comments from the City of Mississauga as part of its review.

COMMENTS:

1. Subject Lands

The subject lands are approximately 1.53 ha (3.79 ac) in size and are located at the southwest corner of Ninth Line and Britannia Road, in the Town of Milton (see Appendix 1, Context Map - Existing Land Use). A dwelling and a barn are located on the subject lands. The subject lands have approximately 76 m (249 ft) of frontage on Britannia Road and 165 m (541 ft) on Ninth Line.

The Town of Milton Official Plan designates the subject lands as “Parkway Belt West Plan Area”. The “Parkway Belt West Plan

Area” designation preserves lands for a multi-purpose utility corridor and acts as an urban separator by maintaining an open space character. Permitted uses include agricultural, recreation, conservation, utility and public uses. Residential uses are limited to detached dwellings on existing lots, accessory apartments to detached dwellings and dwellings that are accessory to agricultural operations.

The subject lands are zoned “Agricultural Parkway Belt (APB)”. The “Agricultural Parkway Belt (APB)” zone does not permit highway commercial uses such as the proposed service station, convenience store, car wash and drive-through restaurant.

The Region of Halton Official Plan designates the subject lands “Parkway Belt Corridor”. Lands within the “Parkway Belt Corridor” designation are intended to function as a utility corridor and accommodate major transportation, communication and utility facilities. They are also to act as an urban separator. Permitted uses are limited to agricultural, conservation, recreation, utility and public uses. Detached dwellings on existing lots and dwellings accessory to agricultural operations are also permitted.

To the north of the subject lands, the existing land use is agricultural (nursery), while to the south the lands are used for non-farm residential purposes. Much of the land in the area is undeveloped. Highway 407 is located to the west of the subject lands, with the Churchill Meadows and Lisgar Planning Districts located to the east of Ninth Line, in Mississauga.

2. Land Use in Mississauga

In Churchill Meadows, lands east of the subject lands are developed in accordance with their “Residential Medium Density I” and “Residential Low Density II” designations, as shown on Appendix 2, “Context Map - Official Plan Designations”. The “Residential Medium Density I” designation permits semi-detached and townhouse development, at a maximum density of 57 units per net residential hectare (23 units per acre), subject to height restrictions. Under the “Residential Low Density II”

designation, detached, semi-detached, street townhouses and duplex dwellings to a maximum density of 45 units per net residential hectare (18.2 units per acre) are permitted.

Northeast of the subject lands, in the Lisgar Planning District, lands are developed in accordance with their “Residential Low Density II” designation, allowing for detached, semi-detached, street townhouse and duplex dwellings to a maximum density of 45 units per net residential hectare (18.2 units per acre). Lands at the northeast corner of Ninth Line and Britannia Road are developed in accordance with their “Residential Medium Density I” designation. The “Residential Medium Density I” designation permits semi-detached and townhouse dwellings at a maximum density of 50 units per net residential hectare (20.2 units per acre).

3. Department Comments

The City of Mississauga has consistently supported the intent of ROPA No. 28, especially with respect to protecting the Ninth Line Corridor for future transportation uses.

The Planning and Building Department supports the Town of Milton’s decision to refuse applications for amendments to the Town of Milton Official Plan and Zoning By-law to permit the development of a service station with a convenience store, car wash and drive-through restaurant at 5768 Ninth Line.

The subject lands are located adjacent to the future Britannia Transitway Station on the Highway 407 Transitway as identified by the Ninth Line Corridor study and ROPA No. 28, and are intended for transit supportive uses. The proposed development is not transit supportive and is, therefore, not consistent with the land uses and vision proposed for the area by the Ninth Line Corridor study and ROPA No. 28.

In addition, the Transportation and Works Department has storm drainage and transportation concerns related to proposed development on the subject lands and request that:

- a storm drainage proposal be submitted to the satisfaction of the City of Mississauga, the Town of Milton and the appropriate Conservation Authority(ies), in support of the proposed Regional Official Plan Amendment, including identifying an appropriate storm sewer outlet(s) for these lands; implementation of the appropriate quantity/quality control requirements; the accommodation of any external drainage; and compatibility of grading with surrounding properties; and
- the most northerly and midpoint accesses from the subject site to Ninth Line should be restricted to right-in/right-out movements only and the restriction of these accesses should be registered on title, a copy of which should be forwarded to the City of Mississauga Transportation and Works Department. The most southerly access point should directly align 180 degrees with the Freeman Terrace roadway in Mississauga.

With respect to regional transit facilities, the Region of Halton should obtain details regarding the alignment of the Highway 407 Transitway from the Ministry of Transportation.

FINANCIAL IMPACT: Not Applicable

CONCLUSION: Because proposed development at 5768 Ninth Line is not transit supportive and is, therefore, not consistent with the land uses and vision proposed for the area by the Ninth Line Corridor study and ROPA No. 28, the City of Mississauga does not support the application of an amendment to the Region of Halton Official Plan. Mississauga also supports the Town of Milton in its refusal to amend its Official Plan and Zoning By-law to permit the proposed development.

In addition, Mississauga has storm drainage and transportation concerns. Should the proposed development of a convenience store, car wash and a drive-through restaurant at 5768 Ninth Line be considered, appropriate studies will need to be undertaken to address

these concerns before the application is approved.

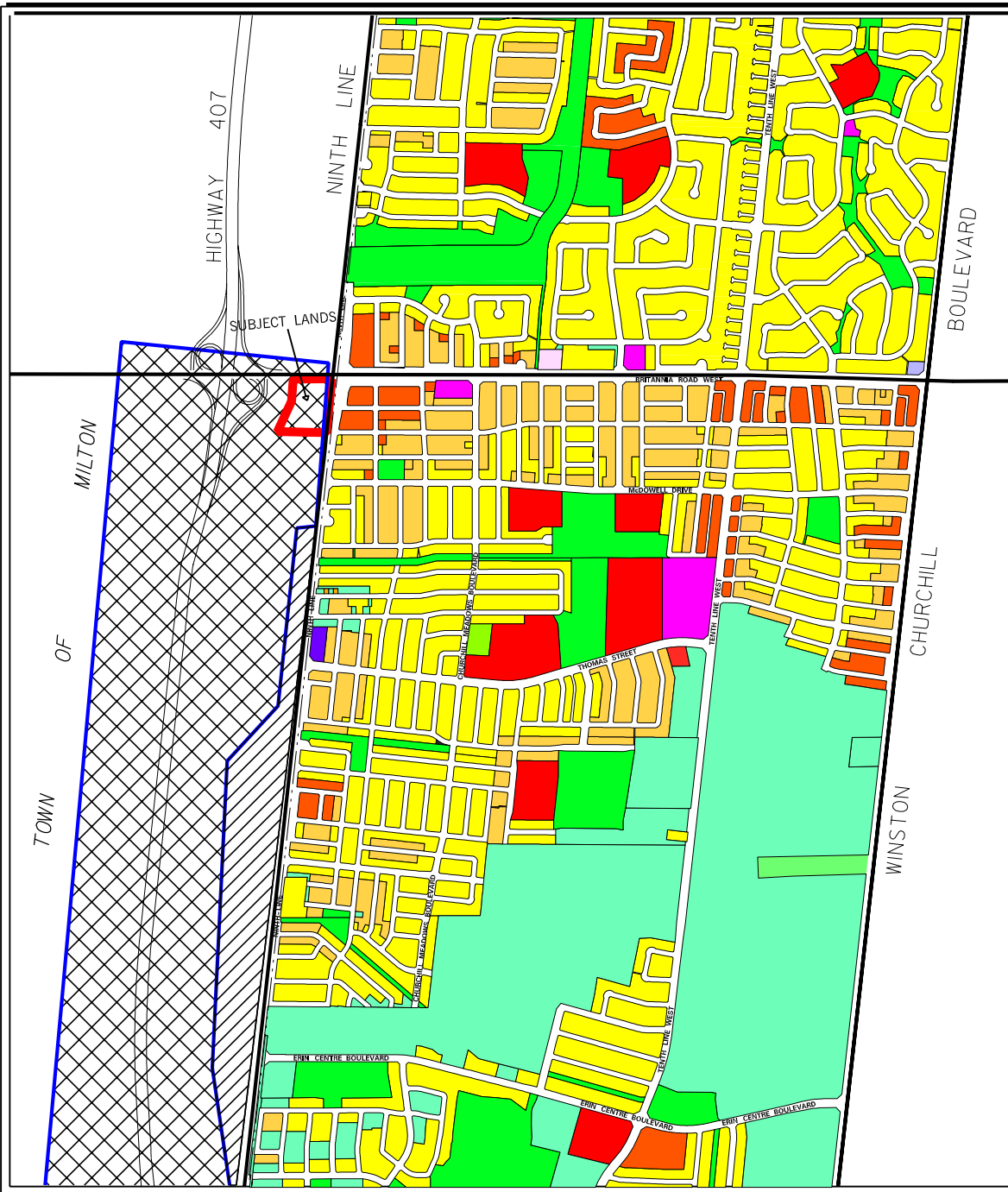
ATTACHMENTS:

APPENDIX 1: Context Map - Existing Land Use

APPENDIX 2: Context Map - Official Plan Designations

Edward R. Sajecki
Commissioner of Planning and Building

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PART OF CHURCHILL MEADOWS, LISGAR AND MEADOWVALE EXISTING LAND USE MAP

EXISTING LAND USE CODES LEGEND

	Residential Detached		Open Space/Greenbelt
	Residential Semi-Detached		Community/Cultural
	Residential Row Dwellings		Public/Institutional
	General Retail Commercial		School
	Automotive Service Commercial		Utilities Public Works
	Other Retail		Farm
	Office		Vacant

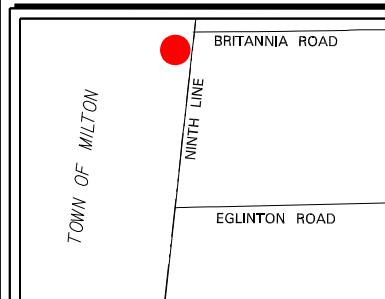
TOWN OF MILTON OFFICIAL PLAN DESIGNATION

	Parkway Belt West Plan Area
	Agricultural Area
	Deferred and Appealed Areas
	Subject Lands

MILTON MAP IS APPROXIMATE AND
IS FOR ILLUSTRATIVE PURPOSES ONLY



SUBJECT: **CONTEXT MAP -
EXISTING LAND USE**

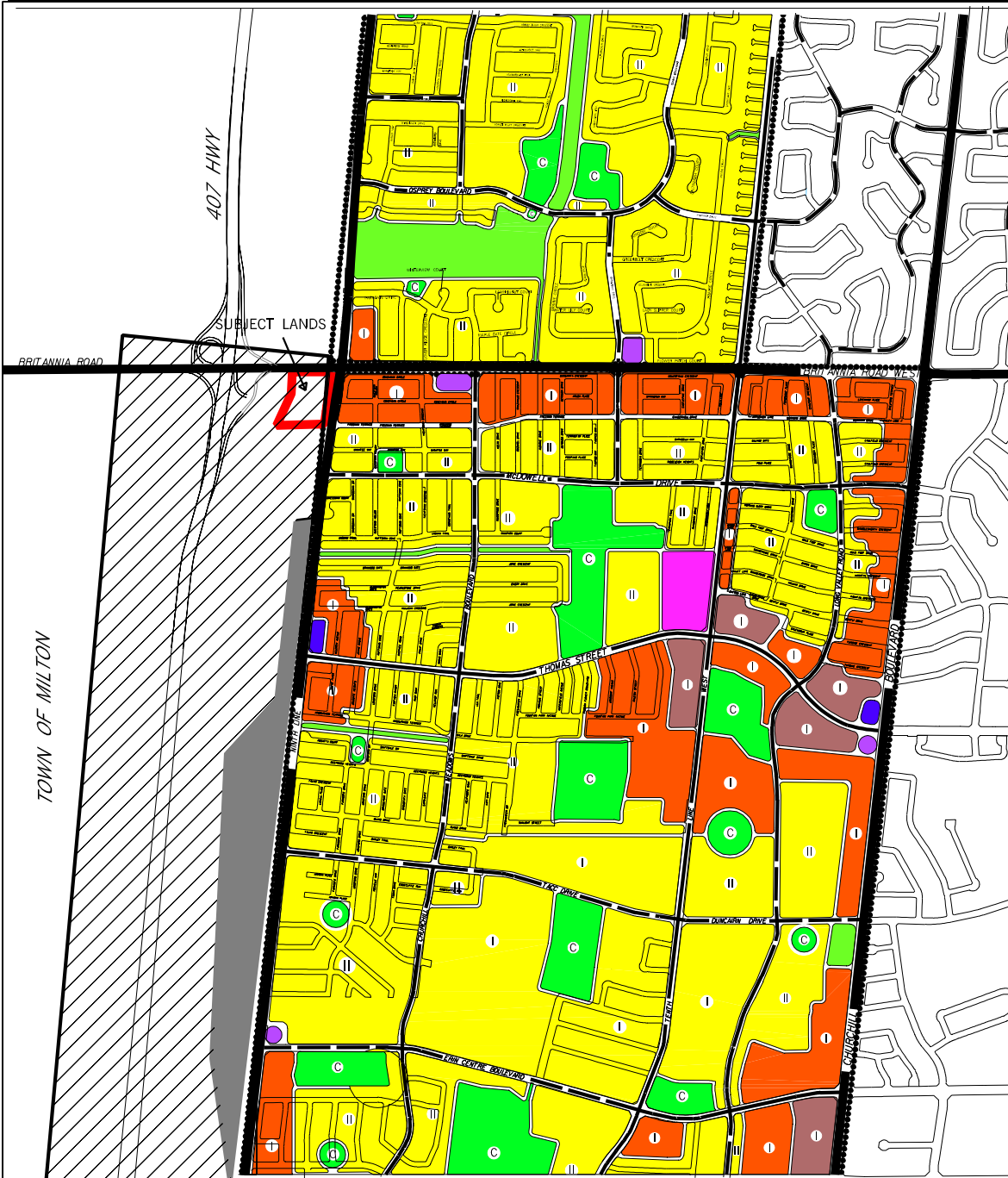


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DRAWN BY:
N. D.

APPENDIX 1

MISSISSAUGA
Planning and Building

Produced by
T&W, GEOMATICS



PART OF CHURCHILL MEADOWS and LISGAR DISTRICT LAND USE MAP CHURCHILL MEADOWS and LISGAR DISTRICT POLICIES OF MISSISSAUGA PLAN

LAND USE DESIGNATION

- Residential - Low Density I
- Residential - Low Density II
- Residential - Medium Density I
- Residential - Medium Density II
- Residential - High Density I
- General Commercial
- Convenience Commercial
- Motor Vehicle Commercial
- Open Space
- Greenbelt
- Utility

TRANSPORTATION LEGEND

- Provincial Highway and Interchange
- Arterial
- Major Collector
- Minor Collector
- Local Road
- Existing Commuter Rail
- GO Transit Station

LAND USE LEGEND

- CP - City Park
- Proposed Stormwater Management Facility
- Planning District

2004 September

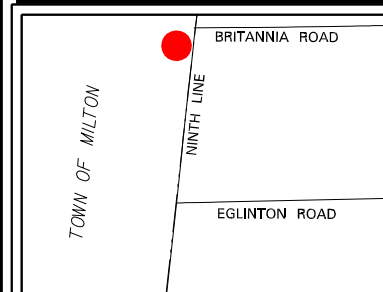
TOWN OF MILTON OFFICIAL PLAN DESIGNATION

- Parkway Belt West Plan Area
- Agricultural Area
- Deferred and Appealed Areas
- Subject Lands

MILTON MAP IS APPROXIMATE AND IS FOR ILLUSTRATIVE PURPOSES ONLY



SUBJECT: CONTEXT MAP - OFFICIAL PLAN DESIGNATIONS



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 MG.11.MIL
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 SCALE:
 NTS
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APPENDIX 2