

City of Mississauga

Corporate Report



<p>Date: April 16, 2021</p> <p>To: Chair and Members of Planning and Development Committee</p> <p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building</p>	<p>Originator's file: OZ 19/017 W7</p>
	<p>Meeting date: May 10, 2021</p>

Subject

PUBLIC MEETING RECOMMENDATION REPORT (WARD 7)

Official Plan Amendment and Rezoning applications to permit an 18 storey apartment with ground floor commercial uses

85-95 Dundas Street West and 98 Agnes Street, northeast corner of Dundas Street West and Novar Road

Owner: Mississauga II GP Inc. (Emblem Developments)

File: OZ 19/017 W7

Recommendation

1. That the applications under File OZ 19/017 W7, Mississauga II GP Inc. (Emblem Developments), 85-95 Dundas Street West and 98 Agnes Street, to amend Mississauga Official Plan to **Residential High Density**; to change the zoning to **H-RA4-Exception** (Apartments) to permit an 18 storey apartment building with ground floor commercial uses in conformity with the provisions outlined in Appendix 2; be approved subject to the conditions referenced in the staff report dated April 16, 2021 from the Commissioner of Planning and Building.
2. That notwithstanding that subsequent to the public meeting, changes to the applications have been proposed, Council considers that the changes do not require further notice and, therefore, pursuant to the provisions of subsection 34(17) of the *Planning Act*, any further notice regarding the proposed amendment is hereby waived.
3. That the applicant agree to satisfy all the requirements of the City and any other external agency concerned with the development.

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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 18 months of the Council decision.
5. That the "H" holding symbol is to be removed from the **H-RA4-Exception** (Apartments) 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 April 16, 2021, from the Commissioner of Planning and Building have been satisfactorily addressed.
6. Notwithstanding subsection 45.1.3 of the *Planning Act*, subsequent to Council approval of the development application, the applicant can apply for a minor variance application, provided that the height and FSI shall not increase.

Executive Summary

- The applications are to amend the policies of the official plan and change the zoning by-law to allow an 18 storey residential apartment building with ground floor commercial uses.
- The applicant has made minor revisions to the proposal to address issues raised by staff including built form.
- Staff are satisfied with the changes to the proposal and find it to be acceptable from a planning standpoint, and recommend that the applications be approved.

Background

A public meeting was held by the Planning and Development Committee on July 27, 2020, at which time an Information Report:

https://www7.mississauga.ca/documents/committees/pdc/2020/2020_07_27_PDC_Agenda.pdf was received for information.

Recommendation PDC-0026-2020 was then adopted by Council on August 5, 2020.

PDC-0026-2020

1. That the report dated July 3, 2020, from the Commissioner of Planning and Building regarding the applications by Mississauga II GP Inc. (Emblem Developments) to permit a 16 storey residential condominium apartment building with ground floor commercial uses, under File OZ 19/017 W7, 85-95 Dundas Street West and 98 Agnes Street, be received for information.

There were some technical matters that needed to be resolved before the Planning and Building Department could make a recommendation on the applications. Given the amount of time since the public meeting, full notification was provided.

Comments

REVISED DEVELOPMENT PROPOSAL

The applicant has made some minor modifications to the proposed concept plan including:

- Decreasing the number of dwelling units from 429 to 428;
- Increasing the height of the building from 16 storeys to 18 storeys; and,
- Decreasing the non-residential ground floor area from 290.19 m² (3,123.6 ft²) to 272.9 m² (2,937.5 ft²).

COMMUNITY ENGAGEMENT

Notice signs were placed on the subject lands advising of the proposed official plan and zoning change. All property owners within 120 m (393 ft.) were notified of the applications on July 2, 2020. A community meeting was held by Ward 7 Councillor Dipika Damerla on February 27, 2020. Six people attended the meeting. No written submissions were received. Supporting studies were posted on the City's website at <http://www.mississauga.ca/portal/residents/development-applications>.

The public meeting was held on July 27, 2020. No members of the public made deputations regarding the applications. Responses to the issues raised at the public meeting and from correspondence received can be found in Appendix 2.

PLANNING ANALYSIS SUMMARY

The *Planning Act* allows any property owner within the Province of Ontario the ability to make a development application to their respective municipality in order to accommodate a particular development proposal on their site. Upon the submission of mandated technical information, the municipality is obligated under the *Planning Act* to process and consider the application within the rules set out in the Act.

The Province identifies through its *Provincial Policy Statement* matters that are of provincial interest, which require the development of efficient land use patterns and sustainability in urban areas that already exist. The Province has also set out the *Growth Plan for the Greater Golden Horseshoe*, which is designed to promote economic growth, increase housing supply and build communities that are affordable and safe, among other items. The Growth Plan requires municipalities to manage growth within already existing built up areas to take advantage of existing services to achieve this mandate. In order to meet required housing supply projections, the *Planning Act* instructs municipalities to make planning decisions that are consistent with the *Provincial Policy Statement* and the Growth Plan.

A detailed Planning Analysis is found in Appendix 2. The applications are consistent with the *Provincial Policy Statement* and conform to the *Growth Plan for the Greater Golden Horseshoe*, the Region of Peel Official Plan and Mississauga Official Plan. An official plan amendment is required to change the designation from **Mixed Use** to **Residential High Density**. A zoning by-law amendment is required from **C4** (Mainstreet Commercial) and **D1** (Development) to **H-RA4-Exception** (Apartments).

The proposed development will consist of an 18 storey apartment building having 428 dwelling units and 272.9 m² (2,937.5 ft²) of ground floor commercial uses. Required parking will be accommodated within a five level underground parking structure.

Should the applications be approved, it is recommended that a Holding Symbol should be placed on the property to ensure that the following matters are completed:

- Land dedications (road widenings);
- Upgraded streetscape works;
- Execution of a development agreement with municipal infrastructure schedules in a form satisfactory to the City of Mississauga, the Region, or any other appropriate authority;

The proposed development represents intensification of an underutilized parcel of land within the Downtown Cooksville Character Area. The proposal is compatible with adjacent uses and maintains the goals of the City Structure relating to intensification.

Strategic Plan

The applications are consistent with the Connect pillar of the Strategic Plan by contributing a choice of housing type to residents that supports the principle of building complete communities to accommodate growth.

Financial Impact

All fees paid by developers are strictly governed by legislation, regulation and City by-laws. Fees are required to be paid prior to application approval, except where otherwise may be prescribed. These include those due to the City of Mississauga as well as any other external agency.

Conclusion

In summary, the proposed development has been designed to be sensitive to the existing and planned character of the downtown and provides a built form that is compatible with the adjacent area. The proposed official plan amendment and rezoning are acceptable from a planning standpoint and should be approved.

Should the applications be approved by Council, the implementing official plan amendment and zoning by-law amendment will be brought forward to Council at a future date.

Attachments

Appendix 1: Information Report

Appendix 2: Detailed Planning Analysis



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

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