

# City of Mississauga

## Corporate Report



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| <p>Date: May 21, 2021</p> <p>To: Chair and Members of Planning and Development Committee</p> <p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning &amp; Building</p> | <p>Originator's file:<br/>OZ 20/001 W4</p> |
|  | <p>Meeting date:<br/>June 14, 2021</p>     |

## Subject

### **PUBLIC MEETING RECOMMENDATION REPORT (WARD 4)**

**Official Plan Amendment and Rezoning applications to permit a 32 storey apartment building with ground floor commercial uses**

**1 Fairview Road East, northeast corner of Fairview Road East and Hurontario Street**

**Owner: Edenshaw Fairview Developments Inc.**

**File: OZ 20/001 W4**

## Recommendation

1. That the applications under File OZ 20/001 W4, Edenshaw Fairview Developments Inc., 1 Fairview Road East, to amend Mississauga Official Plan to **Residential High Density** and to change the zoning to **H-RA5-Exception** to permit a 32 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 May 21, 2021 from the Commissioner of Planning and Building.
2. That the applicant agrees to satisfy all the requirements of the City and any other external agency concerned with the development.
3. 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.
4. That the "H" holding symbol be removed from the **H-RA5-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 May 21, 2021, from the Commissioner of Planning and Building have been satisfactorily addressed.

5. 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 a 32 storey apartment building with ground floor commercial uses.
- The applicant has made minor revisions to the proposal to address issues raised at the Public Meeting and by staff, including reducing building height, increasing the amount of ground floor commercial space, and including the provision of affordable housing.
- Staff are satisfied with the changes to the proposal and find them to be acceptable from a planning standpoint, and recommend that the applications be approved.

## Background

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

[https://www7.mississauga.ca/documents/committees/pdc/2020/2020\\_07\\_27\\_PDC\\_Agenda.pdf](https://www7.mississauga.ca/documents/committees/pdc/2020/2020_07_27_PDC_Agenda.pdf)

was received for information.

Recommendation PDC-0025-2020 was then adopted by Council on August 5, 2020.

1. That the report dated July 3, 2020, from the Commissioner of Planning and Building regarding the applications by Edenshaw Fairview Developments Inc., to permit a 36 storey condominium apartment building with ground floor commercial uses, under File OZ 20/001 W4, 1 Fairview Road East, 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 460 to 408
- Decreasing the height of the building from 36 storeys to 32 storeys
- Increasing the non-residential ground floor area from 272.1 m<sup>2</sup> (2,928.9 ft<sup>2</sup>) to 305.4 m<sup>2</sup> (3,287 ft<sup>2</sup>)

- Increasing the minimum amenity area from 4.3 m<sup>2</sup> (46.3 ft<sup>2</sup>) per dwelling unit to 4.6 m<sup>2</sup> (49.5 ft<sup>2</sup>) per dwelling unit.

## 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 February 20, 2020. A community meeting was held by Ward 4 Councillor John Kovac on December 4, 2019. Approximately 10 people attended the meeting. Three 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. Two members of the public made deputations regarding the applications. Responses to the issues raised at the public meeting and from correspondence received can be found in Appendix 2.

## 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 **Office** to **Residential High Density** and a special site policy to permit a maximum height of 32 storeys. A zoning by-law amendment is required from **O** (Office) to **H-RA5-Exception** (Apartments).

The evaluation of the proposed official plan amendment and rezoning was analyzed using the following criteria:

- Directing Growth: Is a 32 storey apartment building consistent with the Residential High Density designation in MOP?
- Compatibility with Neighbourhood Character: Is the proposed built form appropriate?
- Services and Infrastructure: Is there adequate infrastructure to support the proposal?

The proposed rezoning to permit a 32 storey apartment building with ground floor commercial uses has been found acceptable, based upon the following:

- The proposal represents intensification of an underutilized parcel of land within the Downtown Fairview Character Area.
- The proposal is compatible with adjacent uses and maintains the goals of the City Structure relating to intensification.
- The existing municipal infrastructure is adequate to support the proposed development

## Strategic Plan

The applications are consistent with the Connect pillar of the Strategic Plan by contributing a choice of housing type to residents that support 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.

## Attachments

- Appendix 1: Information Report
- Appendix 2: Detailed Planning Analysis



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

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