

City of Mississauga

Corporate Report



<p>Date: August 27, 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 18/015 W7</p>
	<p>Meeting date: September 21, 2021</p>

Subject

PUBLIC MEETING RECOMMENDATION REPORT (WARD 7)

Official Plan Amendment and Rezoning applications to permit a range of commercial and employment uses within and outside existing buildings and to regularize the existing buildings on the land

473 and 505 Hensall Circle, north of Dundas Street East, west of Cawthra Road

Owner: Canadian Pacific Railway

File: OZ 18/015 W7

Recommendation

1. That the applications under File OZ 18/015 W7, Canadian Pacific Railway, 473 and 505 Hensall Circle, to amend Mississauga Official Plan to **Mixed Use** and to change the zoning to **C3-Exception** (General Commercial - Exception) to permit a range of commercial and employment uses within and outside existing buildings and regularize the existing buildings on the land in conformity with the provisions outlined in Appendix 2, be approved subject to the conditions referenced in the staff report dated August 27, 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. 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.

Executive Summary

- The applications are to amend the policies of the official plan and change the zoning by-law to allow a number of commercial uses
- The applicant has made minor revisions to the proposal to address issues raised by staff, including landscaping and parking
- 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 June 24, 2019, at which time an Information Report:

(https://www7.mississauga.ca/documents/committees/pdc/2019/2019_06_24_PDC_Evening_Agenda.pdf)

was received for information. Recommendation PDC-0057-2019 was then adopted by Council on July 5, 2019.

1. That the report dated May 31, 2019, from the Commissioner of Planning and Building regarding the applications by Canadian Pacific Railway to permit motor vehicle body repair facility, motor vehicle repair facility, motor vehicle sales, leasing and/or rental facility, contractor service shop and contractor's yard uses within and outside existing buildings, under File OZ 18/015 W7, 473 and 505 Hensall Circle, 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.



Aerial Image of 473 and 505 Hensall Circle

Comments

REVISED DEVELOPMENT PROPOSAL

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

- Increase the front and rear yard landscape areas
- Expand the list of permitted commercial and employment uses on the land

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 application on October 30, 2018. A community meeting was held by Ward 7 Councillor Dipika Damerla on June 4, 2019. Two 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 June 24, 2019. No members of the public made deputations regarding the applications and no written comments were received by the Planning and Building Department. 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 **Utility** to **Mixed Use** and to add a special site policy to permit commercial school, repair establishment, office, motor vehicle repair facility, motor vehicle wash facility, contractor's service shop, self storage facility and veterinary clinic. A zoning by-law amendment is required from **U** (Utility) to **C3-Exception** (General Commercial - Exception).

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

- Directing Growth: Are the proposed commercial uses consistent with the Mixed Use 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 commercial and employment uses have been found acceptable, based upon the following:

- The proposal is to regularize a property currently designated and zoned Utility, which contains existing commercial and employment uses within the railway corridor, by redesignating it Mixed Use
- The proposal is compatible with adjacent uses and maintains the goals of the City Structure by providing a mix of uses along an Intensification Corridor
- 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 employment opportunities 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 uses are appropriate for the site and are 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 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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