

City of Mississauga
Corporate Report



<p>Date: April 14, 2022</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 files: LA.07-CIT</p>
	<p>Meeting date: May 9, 2022</p>

Subject

PUBLIC MEETING INFORMATION REPORT (All Wards)

City-Wide Major Transit Station Area Study - Draft Official Plan Amendment

Recommendation

That the report titled "City-Wide Major Transit Station Area Study - Draft Official Plan Amendment" dated, April 14, 2022, from the Commissioner of Planning and Building, and any submissions received at the public meeting held on May 9, 2022, be received for information.

Executive Summary

- As part of the Peel 2051 Regional Official Plan Review and Municipal Comprehensive Review (MCR) process, local municipalities are required to develop detailed Major Transit Station Area (MTSA) policies to conform to the proposed new Region of Peel Official Plan.
- MTSA's are to be planned to support the development of complete and transit-supportive communities that accommodate future growth with a balance of residents and jobs; through a diverse mix of land uses, housing types, tenures and affordability, employment, and amenities.
- This report presents the draft Official Plan Amendment (OPA) for Council's consideration, which includes the proposed city-wide policies for 54 MTSA's and 8 Planned MTSA's. The proposed OPA incorporates policies that identify delineated boundaries, land uses, densities, building heights; and provide direction on land use compatibility, urban design, connectivity, community infrastructure. It also provides general policies for future Planned Major Transit Station Areas.

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- As a result of many previous planning studies across the City, current Official Plan policies within many MTSAs already contain land uses and heights that can achieve the minimum density targets prescribed by the Region and Province. The draft OPA adds additional support and protection to these policies.
- All 54 MTSAs identified by the Region for the City of Mississauga are proposed to be delineated as Protected Major Transit Station Areas (PMTSA) to enable the implementation of inclusionary zoning as an affordable housing tool and provide protection from appeal as set out by the Planning Act for boundaries, land uses, heights and densities.
- The draft OPA includes mapping identifying delineated boundaries, land use designations and building heights for each PMTSA. It is intended that these maps also reflect the approval of ongoing local area study recommendations related to changes in land use designations and heights in the final version of the OPA.
- This report outlines the consultation process that has been undertaken and future engagement, to receive feedback on the proposed policies.
- A Recommendation Report with the final OPA and a summary of comments received will be prepared for Council's consideration at a future public meeting.

Background

The City-wide Major Transit Station Area (MTSA) Study was undertaken in response to various provincial and regional policies and legislative changes intended to direct a large segment of future development to these areas. In short, the Region and Province establish boundaries and minimum density targets, while the city is responsible for land uses, heights and design criteria.

Growth Plan 2020 - Major Transit Station Areas (MTSAs)

The Provincial "Place to Grow 2020" (Growth Plan) contains policies intended to guide development across the Greater Golden Horseshoe. The policies direct a significant portion of new development to existing built-up areas to achieve the 2051 population and employment targets, with most of that growth directed to Strategic Growth Areas that have high development potential and are well-served by transit, such as Major Transit Station Areas.

The Growth Plan set out the policy framework for the creation of MTSAs and describes them as *"the area including and around any existing or planned higher order transit station within a settlement area...MTSAs generally are defined as the area within a 500 to 800 metre radius of a transit station or stop, representing a 10-minute walk"*.

The Growth Plan requires *"planning be prioritized for major transit station areas on priority transit corridors in a transit-supportive manner that maximizes the size of the area and the number of potential transit users that are within walking distance of the station"*. Priority transit corridors in the City of Mississauga include the Hurontario LRT, Highway 403 Transitway, and the Lakeshore West and Kitchener GO Transit rail lines.

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The Growth Plan prescribes minimum density targets for MTSA's which are 160 people plus jobs per hectare (ppj/ha) for LRT and BRT supported MTSA's and 150 ppj/ha for GO stations.

Official plans must delineate MTSA boundaries and demonstrate how they will be planned to achieve the density targets. The Growth Plan also requires development be supported, where appropriate, by a diverse mix of uses, affordable housing, alternative development standards, such as reduced parking standards and multimodal access. These policies require amendment to the Region of Peel and Mississauga Official Plans in order to conform.

Protected Major Transit Station Areas (PMTSA's)

Section 16(16) of the *Planning Act* states that the official plan of an upper-tier municipality such as the Region of Peel, may include policies that identify the area surrounding and including an existing or planned higher order transit station or stop as a "Protected" MTSA (PMTSA). To achieve this designation municipalities must delineate the boundaries, identify minimum number of residents and jobs per hectare and require the Official Plans of lower-tier municipalities (City of Mississauga) to include policies identifying minimum densities and land uses. The identification of a PMTSA is also a prerequisite for the City to implement Inclusionary Zoning by-laws.

The *Planning Act*, also specifies there are no OLT appeals to PMTSA policies that identify delineated boundaries, authorized uses of land, buildings and structures and minimum and maximum building heights and densities. However, Regional MTSA policies must be approved by the Province for this to take effect. Once established, any amendments to a PMTSA will require a local Council resolution and will be subject to approval by the Region, inclusive of minor variances.

Staff are proposing that all MTSA's identified by the Region of Peel for the City of Mississauga be delineated as PMTSA's in order to implement inclusionary zoning by-laws and be afforded the protection of appeal for the applicable policies.

Regional Official Plan Amendment

The Region of Peel Official Plan establishes upper-tier policy direction for the entire Region including the City of Mississauga. The *Planning Act* requires the Region's Official Plan to be reviewed and conform to provincial policies by July 2022. The Region has completed the Peel 2051 Official Plan Review and Municipal Comprehensive Review (known as 'Peel 2051') work program to bring the current official plan into conformity with the Growth Plan 2020, Provincial Policy Statement 2020 (PPS) and other provincial policy initiatives. These reviews have resulted in proposed amendments and a new Peel 2051 Region of Peel Official Plan (RPOP) for consideration at the April 14, 2022 meeting of Regional Council.

The proposed RPOP contains a range of new and revised policies to guide growth and development across the region to align with the most recent Provincial policy direction, including those related to MTSA's. Local municipal official plans are required to conform to the Region's within one year of its approval by the Province.

Regional Proposed MTSA Policies

The proposed new RPOP, identifies the location of 62 Major Transit Station Areas (MTSA's) in the City of Mississauga, shown in Appendix 1. Of those 62 locations, 54 MTSA's are proposed to

Originator's file: File names

be delineated in the Region's Official Plan; and 8 MTSA's are proposed as Planned Stations, to be delineated at a later date when infrastructure planning and investment is better known.

The 54 MTSA's are situated along the Kitchener, Lakeshore West, and Milton GO Rail lines, Hurontario LRT Corridor, the 403 and 407 Transitway Corridors, as well as the Dundas and Lakeshore Bus Rapid Transit Corridors. The draft Region MTSA policies recognize that each station will be unique and be influenced by its local condition, growth potential and limitations and that not all stations will achieve the same mix of land uses or intensity of development.

The draft RPOP policies encourage a mix of uses, a range of station typologies, support for complete communities and multimodal station access. The policies also set out the framework for local municipalities to establish more detailed policies related to land uses, heights, densities, and allow the provision of inclusionary zoning to support housing affordability.

The Region is responsible for delineating the Major Transit Station Area boundaries and setting the minimum density targets in terms of ppj/ha. The City is responsible for setting land use designations, building heights, densities and detailed MTSA policies within the boundaries set by the Region.

Comments

The incorporation of MTSA policies into the Mississauga Official Plan does not represent a fundamental shift in planning direction. The city has planned for transit oriented development for decades. Based on building permits from January 1, 2014 to December 31, 2021, 62% of all new units have been within the proposed MTSA boundaries. This number increases to 79% when looking at apartment units only¹. At a high level, the proposed MTSA policies would allow for the following:

- The implementation of inclusionary zoning, once the MCR is approved by the Province
- Appeal protections for land-use, height and density policies, provided there is conformity to Regional and Provincial policies.
- Implementation of the recommendations of a number of ongoing or recently completed local area studies.

Current Official Plan and MTSA Policies

The current Mississauga Official Plan policies within proposed PMTSAs have been assessed to determine whether they could achieve the Provincial and Regional MTSA requirements. The Hurontario Corridor has been subject to many planning studies that have resulted in transit-supportive strategic growth areas such as Uptown Node, Gateway Corporate Centre, Downtown and Port Credit Community Node which can achieve MTSA targets and objectives. The Ninth Line Neighbourhood Character Area is another such area. In these areas, the draft MTSA OPA policies act to reinforce the type and scale of growth already envisioned by the Mississauga Official Plan.

¹ Building permit values may not net out replacement of existing units

Originator's file: File names

In other areas growth may be constrained by the local context. Growth opportunities in PMTSAs along the Highway 403 Bus Rapid Transitway and Malton GO PMTSA are limited by proximity to the airport or not permitted within the Highway 403 right-of-way. In these areas the draft MTSA OPA policies will encourage transit-supportive development on lands where opportunities do exist and are appropriate.

A number of PMTSAs will be affected by the outcomes of recently completed or ongoing local area planning studies such as the Dundas Corridor Policy Implementation, Lakeshore East Corridor Study, Downtown Fairview, Cooksville, and Hospital Policy Review and the Clarkson Transit Station Area Study. All these studies are also focused on optimizing opportunities for appropriate transit-supportive growth that achieve the goals of MTSA. Once approved, the recommendations from these studies will be reflected in the MTSA policies of the Mississauga Official Plan.

Changes to the Official Plan

The proposed OPA will establish a policy framework that provides for transit-supportive development within MTSA. It will also include changes to existing schedules and mapping, a summary table of key MTSA requirements, and where necessary updating existing policies in the Official Plan that relate to MTSA. The following is a general summary of the key main policy components of the proposed OPA, attached as Appendix 2 to this report.

1. City Wide MTSA Policies

The proposed city wide policies implement a framework to promote transit-supportive development within MTSA across the City. Through the proposed policies, MTSA are to accommodate future growth with development that provides a diverse mix of land uses to support a balance of residents and jobs, a variety of housing types, tenures and affordability options, and amenities that support existing and planned transit and active transportation infrastructure.

The proposed policies will form part of a new section in Part 2 – Chapter 5 Direct Growth in the Official Plan. The new section will include policies related to land use, density and building height requirements. The proposed policies identify all delineated MTSA as Protected Major Transit Station Areas (PMTSA) as defined under the *Planning Act*.

Other City-wide policies that address urban design, land use compatibility, multi-modal connectivity, and improved community infrastructure are also proposed in order realize the vision for MTSA as complete communities.

2. MTSA Mapping

The proposed OPA includes changes to “Schedule 2 – Intensification Areas” to reflect the boundaries of the 54 PMTSA and 8 Planned MTSA as determined by the Region of Peel.

More detailed mapping will be provided in a new “Schedule 11 – Major Transit Station Areas”. The new Schedule 11 will include sub-maps that clarify station area boundaries, land use designations and building height requirements for each PMTSA shown in Appendix 3. A table listing all the PMTSA and the associated mapping and density requirements will be added as part of the new MTSA section in Chapter 5 of the Official Plan.

3. Land Use

When assessing PMTSA land uses, the areas were split into two categories. The first grouping considers areas where no changes to the existing Official Plan land uses are proposed. These are shown in Appendix 3.

The second category considers PMTSAs where studies are currently underway which will be completed shortly (i.e. Dundas Corridor Policy Implementation, Downtown Fairview, Cooksville and Hospital Policy Review and Lakeshore East Corridor Study). The proposed land use schedules currently contemplated by these studies are provided in Appendix 4. The Schedule 11 mapping will be updated to incorporate study approvals in the final version of the Official Plan Amendment.

Recent growth in the City's proposed mixed use PMTSAs has been very heavily weighted towards residential versus non-residential development. In response, staff are proposing a policy that would help maintain existing retail, office and institutional space when such uses are being redeveloped in PMTSAs. Redevelopment that results in a loss of non-residential floor space, will not be permitted unless it can be demonstrated that the planned function of the non-residential component will be maintained or replaced as part of the redevelopment. The proposed policy framework promotes complete communities that will continue to meet the needs of existing and new residents and businesses.

4. Buildings Heights

The current Mississauga Official Plan includes building height requirements, which allow for appropriate transit-supportive development and growth, they are shown in Appendix 3.

Existing building height policies have been amended only where necessary to achieve the individual PMTSA minimum density targets. This includes PMTSAs along Dundas Street, Lakeshore Road East, and from Burnhamthorpe Road East to the Queen Elizabeth Way Highway (QEW) along Hurontario Street; these are shown in Appendix 4. This is largely a technical change and will be reflected in the final version of the Official Plan Amendment.

5. Densities

In order to conform with both the Provincial and Regional MTSA requirements, the City's draft policies include minimum densities, represented in Floor Space Index listed in Table 5-2 of the draft OPA as shown in Appendix 2. The minimum required densities in combination with the proposed heights, will support future development growth for each PMTSA and achieve the Region's required density targets.

The proposed minimum densities are intended to be achieved over the long-term, measured cumulatively across the entire PMTSA. These minimum densities are included to address the legislative requirement but in an urban city such as Mississauga the Official Plan policies related to heights and people plus jobs per hectare permit much higher densities than the minimum.

6. Character Area Specific MTSA Policies

In addition to the City-wide MTSA policies in Chapter 5, other policies that apply to a specific PMTSA or a portion of a PMTSA will be included in other sections of the Official Plan. These policies, generally related to permitted land uses and maximum building heights, will be informed by the outcomes of area specific planning studies and will be included in the applicable

Originator's file: File names

Character Area section of the Plan depending on the location of the PMTSA. They will be identified as PMTSA specific policies and will also be subject to the regulations of the *Planning Act*.

This approach will be reflected in the proposed draft official plan amendments for both the Dundas Corridor Policy Implementation and Downtown Fairview, Cooksville, and Hospital Policy Reviews to be considered concurrently with this MTSA OPA.

Overtime, additional PMTSA policies may be proposed within other Character Area sections as part of future studies and reviews.

7. Inclusionary Zoning

The proposed OPA will create 54 Protected Major Transit Station Areas which will enable the implementation of Inclusionary Zoning (IZ) as an affordable housing tool. Inclusionary zoning is a tool that enables municipalities to require affordable housing units in new residential construction. Detailed IZ policies are being developed separately in coordination with the Region. The proposed OPA will define the applicable area where future IZ requirements may apply. Planning and Development Committee will receive an update on IZ at its May 30th meeting. IZ cannot come into force until the Regional MCR policies related to MTSA's are approved by the Province.

8. Clarity and Legibility

The proposed policies are structured to provide clarity and easy reference. The proposed OPA includes updates to the Glossary to clearly define new terminology related to the MTSA policy framework. Additional amendments are also proposed for other sections of the Official Plan to minimize repetition, consolidate related policies, and update inconsistencies. This is to ensure clarity in the overall MTSA policy direction and language of the Official Plan.

Financial Impact

There are no immediate financial impacts resulting from the recommendations in this report.

Engagement and Consultation

The proposed draft policies take into account the feedback received through multiple engagement activities undertaken with the community. The following is an overview of some of those engagement activities:

- **Virtual Community Meetings:** Community meetings were organized, to discuss the overall policy approach and present the general draft policies in line with the proposed Region of Peel MTSA policies. The meetings included a staff presentation and a chat forum to ask staff questions.
- **Circulation to Stakeholder:** Staff circulated the draft policies to stakeholders to receive their insights and input. Key stakeholders include indigenous community leaders and partners whose input is necessary to ensure that the indigenous perspective is incorporated into the policy development process.

Originator's file: File names

- **“Your Say” webpage:** A dedicated web page was launched containing project information, background documents, and a frequently asked questions section (please visit <https://yoursay.mississauga.ca/major-transit-station-areas>)

Conclusion

The proposed OPA will implement a policy framework for City-wide MTSA's to provide direction for land uses, building heights, densities, urban design, land use compatibility, connectivity and community infrastructure to accommodate future growth in the City. The proposed policies will promote complete communities through transit-supportive development to achieve the density targets in line with Regional and Provincial requirements.

Following the input received at the Statutory Public Meeting, a Recommendation Report and final draft Official Plan Amendment will be prepared for a future Planning and Development Committee meeting.


Attachments

Appendix 1: Region of Peel Draft Official Plan Amendments (March 2022) – Schedule E5

Appendix 2: City-wide Major Transit Station Areas - Draft Official Plan Amendment (Policies)

Appendix 3: City-wide Major Transit Station Areas - Draft Official Plan Amendment (Schedule 11)

Appendix 4: Emerging Schedule 11 Recommendations (Pending Approval of Local Area Studies)



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