

City of Mississauga
Corporate Report



<p>Date: May 30, 2022</p> <p>To: Mayor and Members of Council</p> <p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building</p>	<p>Originator's file: OZ/OPA 20/020 W5</p>
	<p>Meeting date: June 22, 2022</p>

Subject

PUBLIC MEETING RECOMMENDATION REPORT (WARD 5)

Official Plan Amendment and Rezoning applications to permit three apartment buildings with heights of 23, 33 and 38 storeys containing 1,265 apartment units and retail commercial and office uses

5081 Hurontario Street, northeast corner of Hurontario Street and Armdale Road

Owner: 1997937 Ontario Inc. (Liberty Development Corp.)

File: OZ/OPA 20/020 W5

Recommendation

1. That the applications under File OZ/OPA 20/020 W5, 1997937 Ontario Inc. (Liberty Development Corp.), 5081 Hurontario Street to amend Mississauga Official Plan to:
 - a. Amend Map 13-4 to delete the existing floor space index (FSI) range between 1.9-2.9; and
 - b. Revise the **Residential High Density – Special Site 2** of the Uptown Major Node Character Area to permit three apartment buildings with a maximum height of 38 storeys, a maximum of 1,265 dwelling units, a minimum of 2 280 m² (24,541.7 ft²) and a maximum of 6 300 m² (67,812.6 ft²) of retail commercial and office uses and maximum floor space index (FSI) of 7.26
 and to change the **RA5-44** zoning to permit three apartment buildings with heights of 23, 33 and 38 storeys, containing 1,265 units, a minimum of 2 280 m² (24,541.7 ft²) of retail commercial and office uses and maximum FSI of 7.26, be approved in conformity with the provisions outlined in the staff report dated May 30, 2022 from the Commissioner of Planning and Building.
2. That the applicant agree to satisfy all the requirements of the City and any other external agency concerned with the development.

3. That the "H" holding symbol is to be removed from the **RA5-44** (Apartment) 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 30, 2022 from the Commissioner of Planning and Building, have been satisfactorily addressed.
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, provided that the height and FSI shall not increase.
5. 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.

Executive Summary

- The applications are to amend the policies of the official plan and change the zoning by-law to allow three apartment buildings with heights of 23, 33 and 38 storeys, permit additional units, decrease the minimum retail commercial and office use requirements, and increase the maximum floor space index
- The applicant has made minor revisions to the proposal to address issues raised by staff, including revising the maximum building height
- 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 May 10, 2021, at which time an Information Report (<https://pub-mississauga.escribemeetings.com/FileStream.ashx?DocumentId=11906>) was received for information. Recommendation PDC-0027-2021 was then adopted by Council May 19, 2021.

That the report dated April 16, 2021, from the Commissioner of Planning and Building regarding the applications by 1997937 Ontario Inc. (Liberty Development Corp.) to permit three apartment buildings with heights of 21, 33 and 42 storeys, under File OZ 20/20 W5, 5081 Hurontario 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.



Aerial Image of 5081 Hurontario Street

Comments

REVISED DEVELOPMENT PROPOSAL

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

- Revising the proposed maximum building heights from 21, 33 and 42 storeys to 23, 33 and 38 storeys
- Reducing the proposed number of dwelling units from 1,252 to 1,243

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 May 15, 2021. Four 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 May 10, 2021. No members of the public made deputations regarding the applications. Responses to the issues raised from correspondence received can be found in Appendix 2.

No community meetings were held for the subject applications. No comments were made at the public meeting.

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 permit:

- three apartment buildings with heights of 23, 33 and 38 storeys
- a minimum of 2 280 m² (24,541.7 ft²) of retail commercial and office space contained within the apartment buildings
- a maximum floor space index (FSI) of 7.26
- a maximum of 1,511 dwelling units on areas 2A and 2C of Special Site 2 of the Uptown Major Node Character Area (1,265 units on the subject property, area 2A)

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 neighbourhood and provides an appropriate transition to adjacent commercial and residential uses. The proposed official plan amendment and rezoning are acceptable from a planning standpoint and should be approved.

Prior to the passage of the implementing official plan amendment and zoning by-law by Council, the applicant will be required to execute a Section 37 agreement to the satisfaction of the City.

Attachments

Appendix 1: Information Report

Appendix 2: Detailed Planning Analysis



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

Prepared by: Caleigh McInnes, Development Planner