

City of Mississauga
Corporate Report



<p>Date: September 18, 2024</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: LA.07-PRO</p>
	<p>Meeting date: October 7, 2024</p>

Subject

PUBLIC MEETING RECOMMENDATION REPORT (ALL WARDS)

Official Plan Amendment 182 – Changes to Employment Area Policies

Recommendation

1. That the amendments to the Region of Peel Official Plan and Mississauga Official Plan proposed in Appendix 2 of the report titled “Official Plan Amendment 182 – Changes to Employment Area Policies” dated September 18, 2024, from the Commissioner of Planning and Building, be approved.
2. That subsequent to the October 7, 2024 public meeting, Staff be directed to incorporate any further changes to Appendix 2 of the report titled “Official Plan Amendment 182 – Changes to Employment Area Policies” dated September 18, 2024, from the Commissioner of Planning and Building, and further notice not be required.
3. That the Mayor or designate be authorized to submit comments to the Ministry of Municipal Affairs and Housing on the new policies and legislation related to Employment Areas.

Executive Summary

- Mississauga’s Employment Areas are vital to the economic well-being of the city. They contain a mix of businesses and jobs that contribute to a complete and diverse economy. Uses currently permitted in Employment Areas include manufacturing, warehousing, research and development, office, retail, institutional and public service facilities.
- Provincial legislative and policy changes have been made to Employment Areas. The changes amend the definition of Employment Areas and provide municipalities with the

authority to continue allowing lawfully established uses excluded in the definition. With this authority, sites that have lawfully established excluded uses can remain part of an Employment Area. The changes also allow private applications proposing to remove Employment Area lands to be submitted at any time, known as “employment conversions”.

- The updated definition narrows the list of permitted uses. It excludes institutional and commercial uses (office and retail) that are not associated with manufacturing, warehousing, and research and development, unless they have been lawfully established and recognized as such in an official plan.
- The provincial changes will come into effect on October 20, 2024. The Province has advised that municipalities should make timely amendments to their official plans to ensure that they are aligned with the amended definition of Employment Areas.
- Official Plan Amendment 182 (OPA 182) will align employment area policies in the Regional Official Plan (ROP) and Mississauga Official Plan (MOP) with the new Employment Area definition. OPA 182 will also authorize institutional and commercial uses that were lawfully established before October 20, 2024 to continue.
- OPA 182 is an interim measure to address provincial Employment Area changes until comprehensive policy updates are undertaken as part of the Official Plan Review. It is intended to maintain the long-term viability of the city's Employment Areas, prevent fragmentation and ensure lands in these areas continue to be subject to employment policies and protections.

Background

Past provincial legislation and policies have supported the long-term protection of employment lands to meet Ontario's current and future economic needs. This involved a comprehensive analysis of non-residential and residential land needs that was typically undertaken every 5-10 years as part of a municipal-led process.

The Province has approved new legislation and policies that will change how employment lands are planned moving forward with implications for sites that contain uses excluded in the definition of Employment Areas. The most visible change relates to landowners' ability to submit development applications proposing residential uses in an Employment Area at any time.

The Role and Function of Mississauga's Employment Areas

Mississauga's Employment Areas are places of business and economic activity that are vital to maintain a healthy economy and accommodate future jobs and economic opportunities. They accommodate a broad range of uses including manufacturing, warehousing, research and development, institutional, office and retail. Sensitive land uses such as residential are not permitted in these areas.

The City delineates Employment Areas in its Official Plan to:

- provide land use policy and land value certainty for businesses to operate and invest in the city;
- allow for the separation of heavier employment uses from sensitive land uses (e.g. residential); and
- provide investment-ready sites to support employment growth and attract business.

Employment Areas comprise land within Corporate Centres and Employment Areas (referred collectively herein as Employment Areas). Corporate Centres represent major employment concentrations outside of Downtown. They contain a mix of high density employment uses with a focus on major office development. In comparison, Employment Areas contain diverse industrial and business employment operations (e.g. manufacturing, logistics, warehousing, storage yards, research and development, etc.). In key locations, such as those with excellent transportation services, they also contain large office developments.

Mississauga's Employment Areas have experienced steady employment growth of 21% over the past 10 years. Over two thirds of Mississauga's jobs are in Employment Areas. A large portion of these areas are strategically located adjacent to Lester B. Pearson Airport, while others are historic industrial areas.

Changes to Employment Areas to take effect on October 20, 2024

The Province has approved legislative and policy changes that will take effect on October 20, 2024. Changes are being implemented through the *Planning Act* and a new Provincial Planning Statement, 2024 (PPS, 2024). Notable changes are described below and further summarized in Appendix 1.

Employment Areas are being redefined to exclude institutional and commercial uses (i.e., office and retail) that are not associated with a primary employment use such as manufacturing, warehousing, and research and development. Municipalities can introduce policies in their official plan authorizing the continuation of excluded institutional and commercial uses if the use was lawfully established on October 20, 2024. This would keep sites with lawfully established excluded uses in an Employment Area.

The new policies also allow private amendment requests to remove lands from an Employment Area at any time. Previously, requests to remove land from an Employment Area could only be made through a municipal comprehensive review (MCR) process. This allowed for a broad

assessment of multiple conversion requests that considered the cumulative economic impacts to the city and its Employment Areas. No changes have been made to *Planning Act* provisions that protect Council's decisions and non-decisions on employment conversion requests from appeal.

Transfer of Region of Peel Planning Responsibilities

On July 1, 2024, Region of Peel planning responsibilities were transferred to the local municipalities. The City of Mississauga is now the approval authority for employment area policy changes. As part of these changes, the Region of Peel Official Plan (ROP) was deemed to be an official plan of the City of Mississauga, with the ROP prevailing in the event of a conflict with MOP. Amendments to both official plans are required to avoid conflicts between policies.

Comments

Staff are recommending amendments to the Region of Peel Official Plan (ROP) and Mississauga Official Plan (MOP) through OPA 182 attached as Appendix 2. These changes are an interim measure that are intended to provide clarity on commercial and institutional uses in Employment Areas. If OPA 182 is not adopted, stand-alone restaurants, hotels, offices and fire stations, among many other commercial and institutional uses, will no longer be permitted in Employment Areas.

Impacts to the City's Employment Areas

The City's Official Plan currently permits a diverse range of employment uses such as commercial and institutional uses that are excluded in the Province's new definition of Employment Areas. These uses provide access to services and amenities that support the wider employment area – e.g. restaurants, print shops, banks, courier services, etc. – and make Mississauga's Employment Areas attractive to businesses. Where there are commercial uses along the edges of employment lands, they create an important buffer between heavier employment uses such as manufacturing, and nearby residential neighbourhoods.

Mississauga's Employment Areas have benefitted from flexible land use policies contributing to their growth and ability to attract and retain investment. If the lawfully established excluded uses are not authorized to continue, it could result in a fragmented Employment Area. The new definition is estimated to exclude approximately 30% of businesses in Mississauga's Employment Areas, representing 1,200 properties (25% of the land in employment areas) – unless those uses are recognized as lawfully established and authorized to continue as part of an Employment Area.

During the recent Region of Peel MCR process, Council approved the conversion of 239 hectares (591 acres) of employment land. This included Staff-initiated conversions along the Dundas Street corridor and in Rangeview. The converted lands could conservatively accommodate hundreds of new mid- and high-rise residential or mixed use buildings.

Office, retail and institutional uses are located throughout the city's Employment Areas as shown on Figure 1.

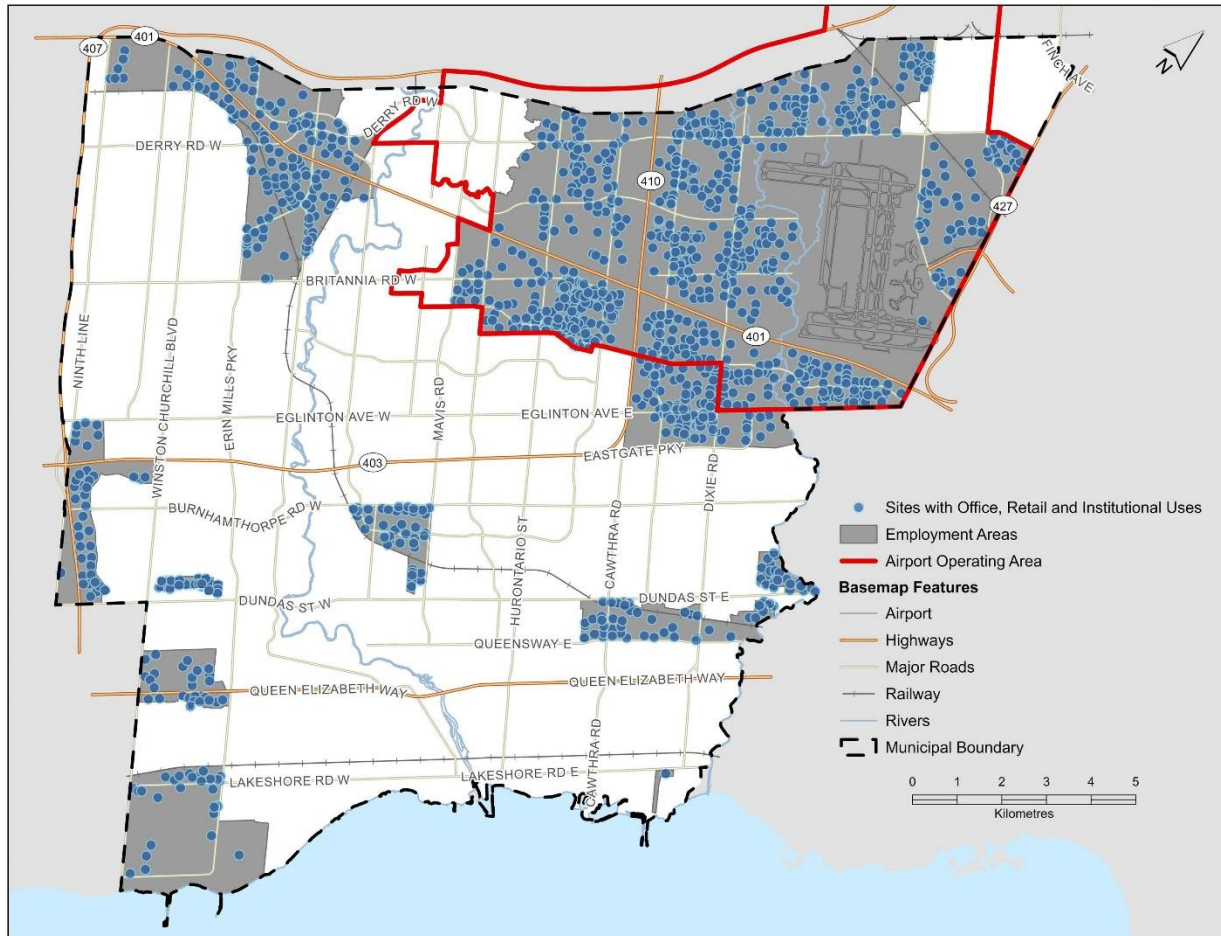


Figure 1 – Location of commercial, institutional and public service facility uses in Employment Areas

Proposed Official Plan Amendment (OPA 182)

Proposed OPA 182 adds a new Employment Area definition that aligns with the *Planning Act*. It also authorizes the continuation of commercial and institutional uses in Employment Areas that were lawfully established prior to October 20, 2024. The proposed policies would not prohibit private landowners of sites with excluded uses from submitting development applications for employment conversion. OPA 182 aims to maintain the long-term viability of the city's Employment Areas by avoiding fragmentation of these lands.

The proposed policies are intended to ensure:

- land is available for employment uses that remain an attractive location for business investment;
- greater land use policy certainty for businesses to operate and invest in the city; and
- employment area policies and protections apply to conversion requests.

Next Steps

The City is currently undertaking an Official Plan Review that will result in a new Official Plan for Mississauga. The new Official Plan will be required to be consistent and not conflict with PPS 2024. OPA 182 is proposed as an interim measure to meet the Province's October 20, 2024 date for Employment Area policy changes. The Official Plan Review process will address any further changes that may be required to these policies. This process will also provide an opportunity for the city to adapt its approach to Employment Areas in response to any emerging direction and interpretation.

Financial Impact

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

Conclusion

OPA 182 will continue to support Mississauga's Employment Areas as places for businesses to operate and invest. It is intended to allow sites with lawfully established uses to continue in an Employment Area after October 20, 2024. It also provides an interim measure to address provincial Employment Area changes until comprehensive policy updates are undertaken as part of the Official Plan Review.

Attachments

- Appendix 1: Summary Table of Provincial Employment Area Legislative and Policy Changes
Appendix 2: Proposed Official Plan Amendment 182



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