

<p>Date: October 9, 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: OZ/OPA 24-10 W3</p>
	<p>Meeting date: October 28, 2024</p>

Subject

PUBLIC MEETING RECOMMENDATION REPORT (WARD 3)

Official Plan Amendment and Rezoning applications to permit an eight storey affordable rental apartment building with 70 residential units

4150 Westminster Place, northwest corner of Westminster Place and Rathburn Road East

Owner: Saint Luke's Dixie Senior Residence Corporation

File: OZ/OPA 24-10 W3

Recommendation

1. That City Council amend Mississauga Official Plan to increase the permitted Floor Space Index (FSI) to a maximum of 1.4 and increase the maximum permitted building height to eight storeys for 4150 Westminster Place, in accordance with the provisions contained in the staff report dated October 9, 2024, from the Commissioner of Planning and Building.
2. That City Council amend Zoning By-law 0225-2007 to **RA2-Exception** (Apartments) for 4150 Westminster Place, in accordance with the provisions contained in the staff report dated October 9, 2024, from the Commissioner of Planning and Building.
3. That the applicant agree to satisfy all the requirements of the City and any other external agency concerned with the development.
4. 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

- Official plan amendment and rezoning applications have been submitted to permit an eight storey affordable rental apartment building with 70 residential units for low-income seniors at 4150 Westminster Place. The existing affordable rental apartment buildings is to be retained.
- The applicant has made minor revisions to the proposal to address issues raised at the Community Meeting and by staff, including relocating the garage and snow storage areas, and adjustments to the internal site layout.
- It has been concluded that the proposed development is supportable from a planning perspective.
- 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

Official plan and rezoning amendment applications were deemed complete on July 3, 2024, and subsequently circulated for technical comments.

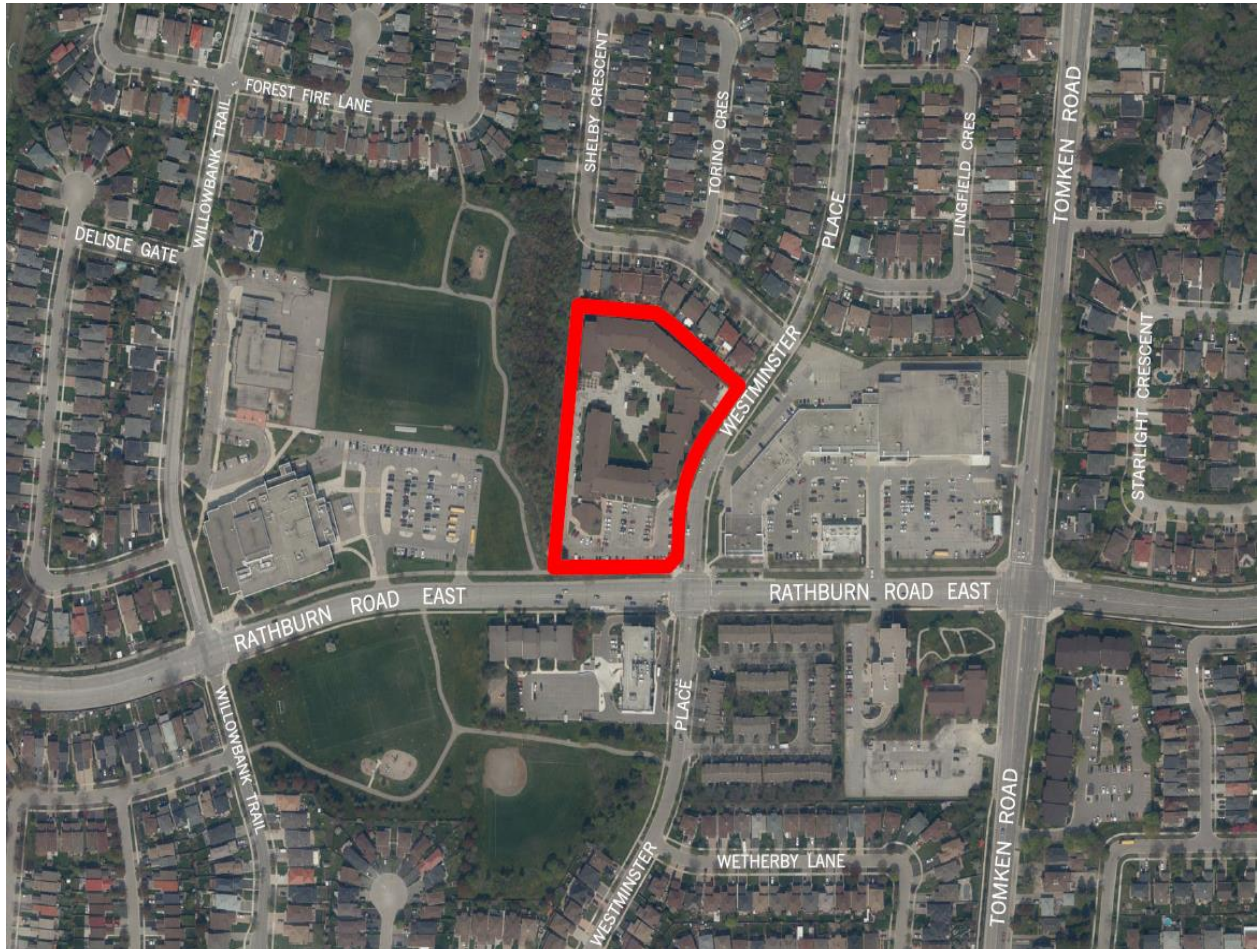
The purpose of this report is to provide information on the applications and to provide a detailed planning analysis, including recommendations for the Planning and Development Committee's consideration.

Present Status

1. Site Information

(a) Site Location and Description

The site is located at northwest corner of Westminster Place and Rathburn Road East, in the Rathwood Neighbourhood Character Area. The site is irregularly shaped and generally flat. Mature vegetation borders the site along the rear lot line and the Westminster Place frontage, as well as within the internal courtyard surrounded by the existing three-storey affordable senior rental apartment building on site.



Aerial Photo of 4150 Westminster Place

Property Size and Use	
Frontages:	92.1 m (302.2 ft.)
Depth:	131.2 m (430.5 ft.)
Gross Lot Area:	1.64 ha (4.1 ac.)



Photo of Existing Site Condition (view looking west from Westminster Place)



Photo of Existing Site Condition (view looking west from Westminster Place)



Photo of Existing Site Condition (view looking northwest from the intersection of Westminster Place and Rathburn Road East)



Photo of Existing Site Condition (view looking north from Rathburn Road East)

(b) Site History

- June 20, 2007 - Zoning By-law 0225-2007 came into force. The subject lands were zoned **RA1-1** (Apartment), which permits apartment buildings, long-term care buildings, retirement buildings and accessory uses
- November 14, 2012 – Mississauga Official Plan (MOP) came into force which designates the property **Residential High Density** within the Rathwood Neighbourhood Character Area
- July 3, 2024 – The subject applications were deemed complete, circulated and formal review began

(c) Site Context

The property is located in the Rathwood Neighbourhood Character Area and is within the Cawthra Major Transit Station Area (MTSA), which promotes transit-supportive development with higher density and mixed-use potential. The surrounding area includes a mix of residential, commercial, and educational land uses. There are low-density residential homes, commercial plazas, schools, and parkland surrounding the property. Additionally, Rockwood Mall and Rathwood District Park provide retail and recreational amenities in proximity to the site.

The surrounding land uses are:

North: Single-family detached homes

East: Tomken Plaza, a commercial plaza with a No Frills grocery store and various retail and service commercial uses

South: Eight storey residential apartment building at 4100 - 4110 Westminster Place

West: St. Vincent De Paul Catholic School and John Cabot Catholic Secondary School, with single-family detached homes further west

2. Surrounding Development Applications

The following development application is in process, in the immediate vicinity of the subject property:

- OZ/OPA 22-28 W3 – 4094 Tomken Road – Official Plan Amendment and Rezoning in process for two 12 storey rental apartment buildings.

3. Official Plan

The lands are located within the Rathwood Neighbourhood Character Area and are designated **Residential High Density**. The **Residential High Density** designation permits apartment dwelling, all forms of townhouse dwellings, and accessory uses.

The subject property is located within a Major Transit Station Area (MTSA) and is an identified Intensification Area in MOPA and is, therefore, intended to be the focus of intensification within the City.

An official plan amendment is required to permit the proposed development.

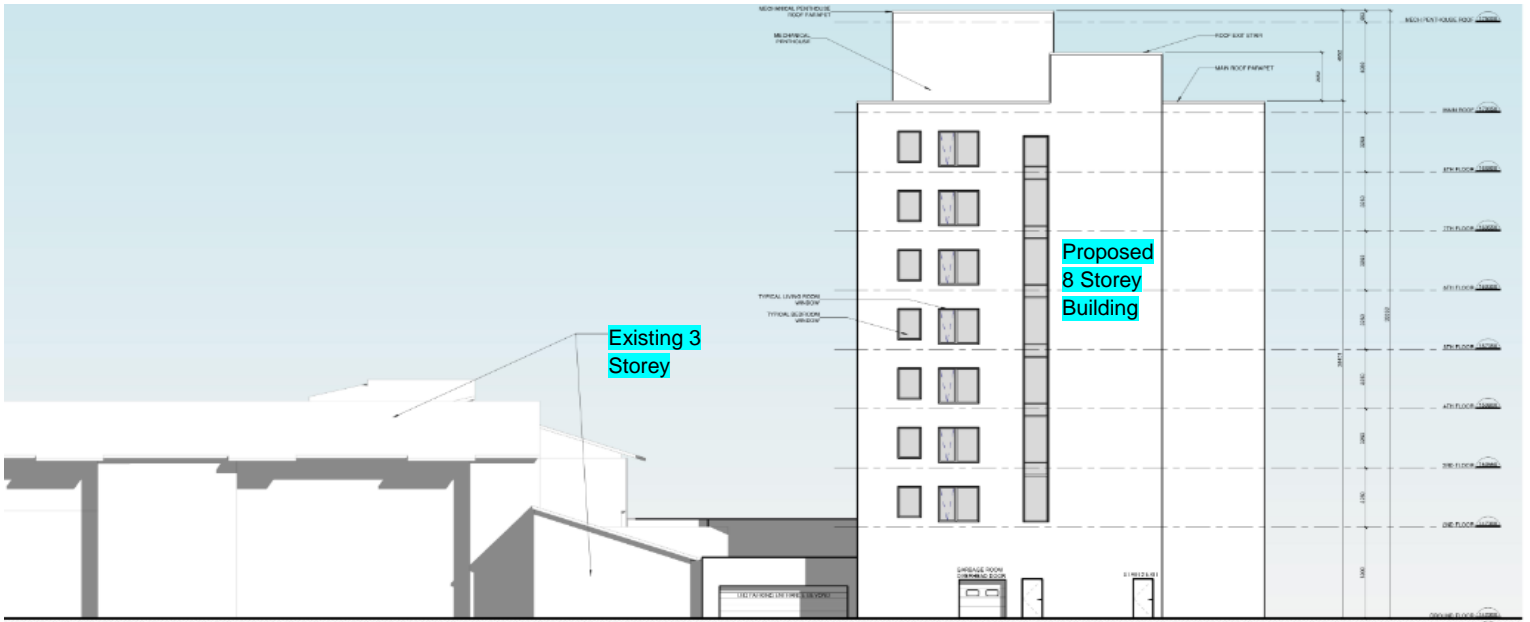
4. Zoning

The subject property is currently zoned **RA1-1** (Apartments), which permits apartment buildings, long-term care buildings, retirement buildings and accessory uses, with maximum heights of 13 m (42.7 ft.) and four storeys, and an FSI of 1.0. Refer to Appendix 1 for the existing and proposed Zoning Map.

5. Proposed Development

(a) Description

The applicant proposes to develop the property with an eight storey affordable rental apartment building with 70 residential units for low-income seniors. Official plan amendment and rezoning applications are required to permit the proposed development. Refer to Appendices 1 for details of the proposed development.



West Elevation



North Elevation

(b) Supporting Studies

The applicant has submitted various materials and studies in support of the applications which can be viewed at: <https://yoursay.mississauga.ca/oz-opa-24-10-w3>.

(c) Green Development Initiatives

The applicant has identified that the following green development initiatives will be incorporated into the development:

- Passive House design to improve energy efficiency and reduce emissions by using superior insulation, airtight construction, and heat recovery
- Green roof to reduce heat island effects and manage stormwater runoff
- Water-saving plumbing fixtures to conserve water
- Low-impact stormwater management integrated with site design

Comments

The following section summarizes the various elements that were considered in developing the Planning and Building Department's position on the applications.

1. Reason for Applications

An amendment to Zoning By-law 0225-2007 is required to implement the proposal. The site is zoned **RA1-1** (Apartment) with a maximum height of four storeys. The proposed development seeks to rezone the site to **RA2-Exception** (Apartment), allowing for a maximum height of eight storeys, increased density, reduced bicycle parking rates, landscaping area and buffers, and amenity area.

An amendment to the MOP is required because the site is currently designated **Residential High Density**, allowing a maximum height of four storeys and an FSI range of 0.5 to 1.0. The proposal seeks to increase the height to eight storeys and the FSI to a maximum of 1.4.

2. Policy 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 *Planning Act* requires that Mississauga Official Plan be consistent with the Provincial Policy Statement and conform with the applicable provincial plans and Regional Official Plan. The policy and regulatory documents that affect these applications have been reviewed and assessed in the context of the proposed development applications. The following section summarizes how the proposed development is consistent with the applicable policy and regulatory documents.

(a) Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe

The *Provincial Planning Statement* (PPS) 2024 was released on August 20, 2024, and came into effect on October 20, 2024, replacing the Provincial Policy Statement 2020. This new document replaces both the Provincial Policy Statement 2020 and the Growth Plan for the Greater Golden Horseshoe, marking a significant shift in Ontario's land use planning by consolidating the two frameworks into a single, province-wide document. The update aims to streamline policies and place greater responsibility on municipalities to manage growth locally, with a focus on intensification, housing development, and transit-supportive communities. The new PPS provides direction on land use planning by ensuring that municipal decisions align with provincial interests such as promoting efficient land use, encouraging diverse housing options, and supporting sustainable development by coordinating land use with existing and planned public infrastructure.

Consistency with PPS, 2024

The PPS 2024 introduces several policies relevant to this proposal. Policy 2.1.3 directs planning authorities to ensure sufficient land is available to accommodate a range of housing, with an emphasis on intensification in built-up areas. Policies 2.2.1 and 2.3.1 focus on diversifying housing options, including setting minimum targets for affordable housing. Policies 2.4.2 and 2.4.1 emphasize intensification in Major Transit Station Areas (MTSAs) and direct development towards strategic growth areas to optimize the use of land. Additionally, Policy 2.1.1 mandates that population and employment growth forecasts guide planning decisions.

The proposed eight storey affordable rental apartment building for low-income seniors aligns well with key policies in the PPS 2024. By promoting higher density within a built-up urban area, it efficiently uses land and infrastructure, supporting intensification goals. The proposal directly addresses the need for more affordable housing, contributing to a diverse range of housing options, especially for vulnerable groups like seniors. Its location within a MTSA allows the development to maximize transit-oriented living, reducing reliance on cars and enhancing the use of public infrastructure. The proposed development supports the general intent of the PPS.

(b) Regional Official Plan

On June 6, 2024, Bill 185, the *Cutting Red Tape to Build More Homes Act*, received Royal Assent, bringing significant changes to the planning framework in Ontario. This legislation reassigns planning responsibilities from seven upper-tier municipalities, including the Region of Peel, to their respective lower-tier municipalities. As a result, the Cities of Mississauga, Brampton, and Caledon will now oversee the administration of planning policies previously managed by the Region. Mississauga will begin the process of repealing the Regional Official Plan (ROP) and incorporating relevant policies into the Mississauga Official Plan as part of its upcoming Official Plan Review project, streamlining local planning and policy implementation.

Consistency with ROP

The proposed development does not require an amendment to the ROP, as it aligns with the relevant policies by providing a diverse range of affordable housing options specifically for seniors, thereby addressing the need for varied housing types and tenures in the community (Policy 5.9). Its location within a built-up area supports growth and intensification objectives, making efficient use of existing infrastructure and transit services (Policy 5.6). By including affordable units, the development contributes to increasing housing affordability in the area (Policy 5.9). The project also promotes a healthy community through its proximity to public transit and services, reducing the need for car dependency (Policy 7.5). Additionally, the incorporation of energy-efficient design features supports the Region's goals for sustainability and climate resilience (Policy 3.7). As such, the proposed development gives adequate regard for the objectives of the ROP.

(c) Mississauga Official Plan

The proposal requires an amendment to the Mississauga Official Plan Policies for the Rathwood Neighbourhood Character Area to permit an eight storey affordable rental apartment building with 70 residential units for low-income seniors. Section 19.5.1 of Mississauga Official Plan provides the following criteria for evaluating site specific Official Plan Amendments:

- ***Will the proposal adversely impact or destabilize the overall intent, goals and objectives of the Official Plan; and the development or functioning of the remaining lands which have the same designation, or neighbouring lands?***
- ***Are the lands suitable for the proposed uses, and are the proposed land uses compatible with existing and future uses of the surrounding lands?***
- ***Are there adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed application?***
- ***Has a planning rationale with reference to Mississauga Official Plan policies, other relevant policies, good planning principles and the merits of the proposed amendment in comparison with the existing designation been provided by the applicant?***

Planning staff have undertaken an evaluation of the relevant policies of Mississauga Official Plan against this proposed development application.

The following is an analysis of the key policies and criteria:

(i) Directing Growth

The proposed development at 4150 Westminster Place is located in the Rathwood Neighbourhood Character Area, and while Policy 5.3.5.1 emphasizes that Neighbourhoods should maintain stability and not be the primary focus for large-scale intensification, MOP acknowledges that Neighbourhoods will not remain static, and that new development should be sensitive to the existing and planned character.

The site is designated **Residential High Density**, which permits apartment dwellings.

The proposed development adds residential density to an existing apartment site in a manner that is compatible with the surrounding area, which is consistent with Policy 5.3.5.2. The site is located along Rathburn Road East, which is situated near key transit and intensification areas where higher-density uses are encouraged to locate (Policy 5.3.5.1.4 and 5.1.7). The project adheres to Policy 5.3.5.5 by ensuring that the scale and built form are compatible with the surrounding neighbourhood, enhancing the existing community and supporting the overall objectives of the Official Plan without compromising neighbourhood stability.

The site is within a Protected Major Transit Station Area, and the proposal supports the efficient use of existing and planned infrastructure, consistent with Policy 5.5.8. The development's proximity to public transit and key amenities aligns with policy 5.7, which emphasizes that Major Transit Station Areas should be developed to accommodate growth with a balanced mix of land uses, housing options, and employment to support existing and planned transit and active transportation infrastructure. Additionally, the project makes effective use of the available infrastructure and public services, supporting Policy 5.5.1, which focuses on intensification within designated areas. By providing a range of affordable housing options for seniors, the proposal contributes to the creation of a complete community and aligns with the city's goals to foster resilient, compact, and accessible urban spaces.

Overall, the proposed development aligns with the policies outlined in Sections 5 – Directing Growth, ensuring that the character and stability of the neighbourhood are maintained while accommodating thoughtful growth. It represents a balanced approach to intensification that respects and enhances the Neighbourhood's existing and planned context.

(ii) Compatibility

The proposed development at 4150 Westminster Place effectively supports the City's vision for intensification along major collector roads like Rathburn Road East. These roads are intended to accommodate low- to mid-rise mixed-use development, including residential, retail, and office uses, to create vibrant, complete communities while preserving the existing neighbourhood character (Policy 16.22.1). The addition of mid-rise apartments with affordable senior housing enhances residential density and

provides much needed housing options, reinforcing a sense of place and supporting community vitality.

While the proposed building height exceeds the general four-storey limit set for Neighbourhoods, it meets the requirements of Policies 16.1.1.1 and 16.1.1.2 by offering a smooth transition from the existing three-storey building on-site and maintaining harmony with the surrounding area. The thoughtful design of the development adheres to the high urban design standards expected in Intensification Areas, as described in Policies 9.2.1 and 9.2.1.4, promoting a pedestrian-friendly environment and a vibrant, engaging streetscape. By orienting the building to face the street and enhancing pedestrian circulation, the development not only respects but also elevates the neighbourhood's character and amenities. Overall, the proposal effectively integrates new development into the existing urban fabric while enhancing the site's contribution to the community, fully supporting the objectives of the Official Plan.

(iii) Services and Infrastructure

Based on the comments received from the applicable City Departments and external agencies, the existing infrastructure is adequate to support the proposed development.

The Region of Peel has advised that there is adequate water and sanitary sewer capacity to service this site.

The following community services are located in proximity to the site:

- Shelby Park
- Alison's Park
- Rathwood District Park
- Frank McKechnie Community Centre
- Mississauga Valley Library
- Burnhamthorpe Library

The site is located 3.5 km (2.2 mi.) from the Dixie GO Station. The following major MiWay bus routes currently service the site:

- Route 20 – Rathburn
- Route 26 - Burnhamthorpe
- Route 51 – Tomken

There is a transit stop on Rathburn Road East within 280 m (918.6 ft.) of the site.

For these reasons, these applications are consistent with MOP, the Region of Peel Official Plan, and the PPS.

(d) Zoning By-law

An amendment to Zoning By-law 0225-2007 is required to implement the proposal. The site is zoned **RA1-1** (Apartments), which permits apartment buildings, long-term care buildings, retirement buildings and accessory uses.

The proposed zoning amendment rezones the property to **RA2-Exception** (Apartment), which include exceptions to accommodate specific regulations for maximum height, increased density, reduced bicycle parking rates, landscaping and amenity areas.

The proposed **RA2-Exception** (Apartment) is appropriate to accommodate the proposed eight storey affordable rental apartment building with an FSI of 1.4.

A table summarizing the proposed zoning regulations can be found in Appendix 1.

(e) Bonus Zoning/Community Benefit Charge

Schedule 17 of Bill 197, *COVID-19 Economic Recovery Act, 2020*, amended the *Planning Act*. The Section 37 Height/Density Bonus provisions are replaced with the Community Benefit Charge (CBC) provisions, implemented by a CBC By-law passed by Council. Funds collected under CBC will be to fund projects City-wide and Council will be requested at budget time each year to spend or allocate CBC funds to specific projects in accordance with the CBC Strategy and Corporate Policy.

On June 22, 2022, Mississauga City Council passed the new Community Benefits Charge (CBC) By-law, which is administered by the Corporate Services Department's Finance Division. This by-law applies to the development and redevelopment of buildings with five or more storeys and ten or more residential units, imposing a charge of 4% of the land value calculated on the day before the building permit is issued. Section 5 of the by-law outlines exemptions for specific uses, including long-term care homes, retirement homes, universities, colleges, Indigenous institutes, Royal Canadian Legion buildings, hospices, non-profit housing, and homes for special care. Given that this application is for a non-profit rental seniors' apartment building, it is exempt from the CBC By-law under Section 5, ensuring that essential affordable housing projects for seniors remain financially feasible.

3. Departmental and Agency Comments

The applications were circulated to all City departments and commenting agencies on July 3, 2024. The following section summarizes the comments received. Refer to Appendix 1 for detailed comments.

(a) Region of Peel

Comments dated September 23, 2024, state that the Region supports the proposed development from a servicing and waste management perspective. For full technical comments, see Appendix 1.

(b) City Transportation and Works Department

Comments dated September 23, 2024, state that technical reports and drawings have been reviewed to ensure that engineering matters related to noise, grading, servicing, stormwater management, traffic, and environmental compliance can be satisfactorily addressed and confirm feasibility of the project, in accordance with City requirements.

(c) City Community Services Department

Comments dated September 19, 2024, state that Community Services has no concerns with the proposed rezoning for 4150 Westminster Place. Additional clauses, minor site layout changes and cash-in lieu will be required through the site plan application.

(d) Dufferin-Peel Catholic District School Board and Peel District School Board

Comments dated August 1, 2024 state that the Dufferin Peel Catholic School Board is satisfied with the current provision of educational facilities for the catchment area in which the subject application is located. Various warning clauses will be included in the development agreement.

Comments dated July 22, 2024 state that the Peel District School Board have no comments as no new students are expected from this development.

4. Affordable Housing

In October 2017 City Council approved *Making Room for the Middle – A Housing Strategy for Mississauga* which identified housing affordability issues for low and moderate incomes in the city. In accordance with the Provincial Growth Plan (2019) and Amendment No. 1 (2020), *Provincial Policy Statement (2024)*, Regional Official Plan and Mississauga Official Plan (MOP), the City requests that proposed multi-unit residential developments incorporate a mix of units to accommodate a diverse range of incomes and household.

The proposed development is an affordable rental project by St. Luke's Dixie Senior Residence Corporation, a charitable non-profit organization that currently operates a three storey, 190-unit seniors' affordable rental building on the site. The proposal will increase the supply of affordable rental housing in the form of a new eight storey building containing an additional 70 units to better accommodate the growing senior population. To support this development, the applicant is actively working on receiving funding from the Canada Mortgage and Housing Corporation (CMHC) and the National Housing Co-Investment Fund (Co-Investment Fund). Additionally, they are working closely with the City's Housing staff to potentially leverage the new Affordable Rental Community Improvement Plan (CIP) program.

5. Next Steps**(a) Site Plan**

Prior to development of the lands, the applicant will be required to obtain site plan approval.

While the applicant has worked with City departments to address many site plan related issues through review of the rezoning concept plan, further revisions will be needed to address matters such as on-site storm water measures, snow storage location, tree hoarding and land dedications. Through the site plan process, further refinements are anticipated for the design of an eight storey affordable rental apartment building.

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.

Engagement and Consultation

1. Community Feedback

A community meeting was held by Ward 3 Councillor, Chris Fonseca, on December 12, 2022. Approximately 60 people were in attendance at the community meeting and no written correspondence has been received. The following summarizes comments received on the applications.

Comment

This development will increase the amount of traffic on the existing road network in the area.

Response

The Transportation Impact Study, prepared by Paradigm Transportation Solutions Limited, dated January 2024, was submitted in support of the proposed development and was deemed satisfactory by the City's Transportation and Works Department. It has been determined that the development is anticipated to have a very minimum impact on traffic operations in the area, generating approximately 11 peak hour trips in the evening and 8 peak hour trips in the morning.

Comment

The proposed development will create negative shadow impacts on nearby properties.

Response

A Shadow Study, prepared by Weston Consulting, dated January 2024, was submitted in support of the proposed development. The study confirms the proposed development will have minimal shadow impacts on surrounding residential properties and public spaces. The proposal meets the City of Mississauga's shadow impact criteria, ensuring adequate sunlight for private outdoor amenity spaces and public parks, with only minor shadowing effects that do not exceed the acceptable limits for duration or intensity.

Comment

The proposal will cause disruption when construction occurs.

Response

It is anticipated that there will be some level of disruption to the area resulting from construction activity occurring on the subject property. Mud tracking will be managed through the City's Lot Grading and Municipal Services Protection By-law and construction will also be subject to the City's Noise Control By-law which regulates the period of time when construction equipment can operate in residential areas.


Conclusion

In conclusion, City staff has evaluated the applications to permit an eight storey affordable rental apartment building for low-income seniors, against the *Provincial Planning Statement*, Region of Peel Official Plan and Mississauga Official Plan. Staff are of the opinion that the proposed development conforms to the relevant provincial, regional and city policies for appropriate use of the land.

Should the applications be approved by Council, the implementing Official Plan Amendment and Zoning By-law will be brought to a future Council meeting for approval.

Attachments

Appendix 1: Supplementary Information



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

Prepared by: Jaspreet Sidhu, Development Planner