

City of Mississauga
Corporate Report



<p>Date: November 6, 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 22-28 W3</p>
	<p>Meeting date: November 25, 2024</p>

Subject

PUBLIC MEETING RECOMMENDATION REPORT (WARD 3)

Official Plan Amendment and Rezoning applications to permit two 12 storey rental apartment buildings, while retaining the existing place of religious assembly and 7 storey rental apartment building on-site

4094 Tomken Road and 924 Rathburn Road East, southwest corner of Tomken Road and Rathburn Road East

Owner: Kindred Works

File: OZ/OPA 22-28 W3

Recommendation

1. That City Council amend Mississauga Official Plan to **Residential High Density – Special Site** for 4094 Tomken Road and 924 Rathburn Road East, in accordance with the provisions contained in the staff report dated November 6, 2024, from the Commissioner of Planning and Building.
2. That City Council amend Zoning By-law 0225-2007 to **RA3-Exception** (Residential Apartment – Exception) for 4094 Tomken Road and 924 Rathburn Road East, in accordance with the provisions contained in the staff report dated November 6, 2024, from the Commissioner of Planning and Building.
3. That City Council direct the applicant to satisfy all requirements of the City and any other external agency concerned with the development.
4. That City Council's 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 two 12 storey rental apartment buildings on the property at 4094 Tomken Road and 924 Rathburn Road East, while maintaining the existing place of religious assembly and 7 storey rental apartment building that currently occupies the property.
- The proposal includes an affordable housing component, with 30% of the units proposed to be affordable rental units at 80% of Median Market Rent as defined by CMHC.
- The applicant has made minor revisions to the proposal to address issues raised at the Public Meeting and by staff, including:
 - Reduced number of driveway accesses from Tomken Road from two to one
 - Improved pedestrian site circulation
 - Modified building configuration and layout, including shifting building elements away from the south lot line to reduce impacts on adjacent properties
 - Removal of private balconies to improve energy efficiency and increase the amount of indoor unit space, as well as reduce overlook conditions.
- 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 12, 2023, at which time an Information Report (<https://pub-mississauga.escribemeetings.com/Meeting.aspx?Id=48d1a9eb-2b68-4c4e-aca9-7b2f8a538b91&Agenda=PostAgenda&lang=English&Item=12&Tab=attachments>) was received for information. Recommendation PDC-0040-2023 was then adopted by Council on June 26, 2023.

1. That the report dated May 19, 2023 from the Commissioner of Planning and Building regarding the applications by Kindred Works to permit two 12 storey apartment buildings with underground parking, while retaining the existing place of religious assembly and 7 storey apartment building, under File OZ/OPA 22-28 Ward 3, 4094 Tomken Road and 924 Rathburn Road East, be received for information.
2. That six oral submissions be received.

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 4094 Tomken Road and 924 Rathburn Road East

Comments

REVISED DEVELOPMENT PROPOSAL

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

- Reduced number of driveway accesses from Tomken Road from two to one
- Improved pedestrian site circulation
- Modified building configuration and layout, including shifting building elements away from the south lot line to reduce impacts on adjacent properties
- Removal of private balconies to improve energy efficiency and increase the amount of indoor unit space, as well as reduce overlook conditions
- The upper levels of both proposed buildings have been designed with a lighter coloured material in order to minimize the perceived height and massing of the buildings

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 February 2, 2023. A community meeting was held by Ward 3 Councillor, Chris Fonseca, on

March 20, 2023. Approximately 60 of people attended the meeting. 15 written submissions were received. Supporting studies were posted on the City's website at <https://www.mississauga.ca/services-and-programs/planning-and-development/development-applications/active-development-applications/ward-3-development-applications/>.

The public meeting was held on June 12, 2023. Six members of the public made deputations regarding the applications. 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 Provincial Planning Statement (*PPS*) 2024 came into effect on October 20, 2024, replacing the Provincial Policy Statement 2020 and the Growth Plan for the Greater Golden Horseshoe. This new policy statement marks 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 planning public infrastructure. The *Planning Act* instructs municipalities to make planning decisions that are consistent with the *Provincial Planning Statement*.

A detailed Planning Analysis is found in Appendix 2. The applications are consistent with the Provincial Planning Statement and conform to the Region of Peel Official Plan and Mississauga Official Plan. An official plan amendment is required to add Special Site policies to the existing **Residential High Density** designation to allow for an increased building height of 12 storeys and increased floor space index (FSI) of 1.9.

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 makes efficient use of underutilized lands, infrastructure and public service facilities. It has been designed to be sensitive to the existing and planned character of the neighbourhood and introduces much needed affordable dwelling units to the City. The proposed official plan amendment and rezoning are acceptable from a planning standpoint and should be approved.

Attachments

Appendix 1: Information Report

Appendix 2: Detailed Planning Analysis



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

Prepared by: Ashlee Rivet-Boyle, Development Manager