

City of Mississauga

# Corporate Report



<p>Date: April 10, 2024</p> <p>To: Chair and Members of Planning and Development Committee</p> <p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning &amp; Building</p>	<p>Originator's file: CD.06-APT</p>
	<p>Meeting date: April 29, 2024</p>

**Subject**

**PUBLIC MEETING INFORMATION/RECOMMENDATION REPORT (ALL WARDS)**

**Proposed Amendments to Zoning By-law to introduce Urban Apartment Zones**

**File: CD.06-APT (ALL WARDS)**

**Recommendation**

That the proposed amendments to Zoning By-law 0225-2007, as detailed in Appendix 2 of the report dated April 10, 2024 from the Commissioner of Planning and Building, be approved in accordance with the following:

1. That an implementing zoning by-law amendment be enacted at a future City Council meeting.
2. That notwithstanding planning protocol, that this report regarding the proposed amendments to Zoning By-law 0225-2007, be considered both the public meeting and a combined information and recommendation report.

**Executive Summary**

- The City's Planning and Building Department is committed to continuous improvement of our service portfolio so that landowners, businesses, residents, and other parties can help us deliver on our commitment to facilitate economic growth and the development of land.
- Staff are proposing to introduce two new Apartment Zone categories for apartment buildings that will streamline the approval process and facilitate more housing, a more urban downtown, and more mixed-use nodes and corridors. The guiding principles behind the new 'Urban Apartment Zones' include encouraging apartment buildings that fit within a more urban context, while creating pedestrian-scaled streets that can foster a vibrant public realm and street level activity.
- These zones will be available for use when evaluating rezoning applications for apartment buildings, where determined appropriate and can be modified through the

development application review process if applicants can successfully demonstrate the need and benefit to do so. The guiding principles should be maintained for all development proposals.

## Background

The City's Zoning By-law contains five zones designated for apartment buildings, the **RA1**, **RA2**, **RA3**, **RA4**, and **RA5** Zones (referred to herein as the 'Apartment Zones'). Their regulations, excluding height and density, are largely similar and intended to facilitate apartment buildings that are 'tower-in-the-park' style. 'Tower-in-the-park' is typically characterized by high-rise apartment buildings with large setbacks, surrounded by green space.

The Apartment Zone regulations are not always conducive to development of apartment buildings located in higher density, urban areas. When development applications seeking an Apartment Zone category are presented to the City, staff are required to provide exceptions to many of the regulations, since they are intended for a suburban built form. To address this gap, staff are proposing two new Apartment Zones called the 'Urban Apartment Zones'. The Urban Apartment Zones are intended to streamline and improve the development application review process by including regulations more appropriately tailored to urban contexts. This builds on the City's commitment to respond to land development trends, implementing industry best practices, continuously improving our process and procedures, and facilitating more housing to develop a dynamic, mixed use and walkable city with a strong identity.

The intent of introducing the Urban Apartment Zones does not include changing the zoning of any existing properties. Instead, the zones would be available for applicants and/or staff to employ when evaluating rezoning applications for apartment buildings, generally located within Downtown, Major Nodes, and Community Nodes Character Areas, as well as Corridors and Major Transit Station Areas. The Urban Apartment Zones can be modified as necessary through the development application review process to address unique site constraints and context. However, the guiding principles behind the zoning regulations should aim to be maintained.

## Comments

### Guiding Principles

The objectives of the Urban Apartment Zones include:

- Integrating a mix of uses to encourage a walkable community and put people closer to a broader range of urban amenities and experiences
- Fostering vibrant street level activity and an active public realm
- Encouraging a built form that fits within an urban context

The differentiating factors between the existing Apartment Zones and the Urban Apartment Zones are generally summarized by the following themes:

#### 1. Built Form & Massing

The existing Apartment Zones are mainly differentiated by maximum height and floor space

index (FSI) permissions, while the requirements for yards are aligned and increase in relation to the change in height (i.e. larger yard requirements as heights increase).

The Urban Apartment Zones maintain the maximum height of 25 storeys of the highest density Apartment Zone, **RA5**. This height corresponds to the maximum permitted number of storeys in Mississauga Official Plan, apart from the Downtown Core which contains no stated maximum height or density. Staff are also proposing a requirement for a podium located at the base of an apartment building, aimed at creating a comfortable, pedestrian scale while mitigating the perception of the height of the tower above (see Figure 1).

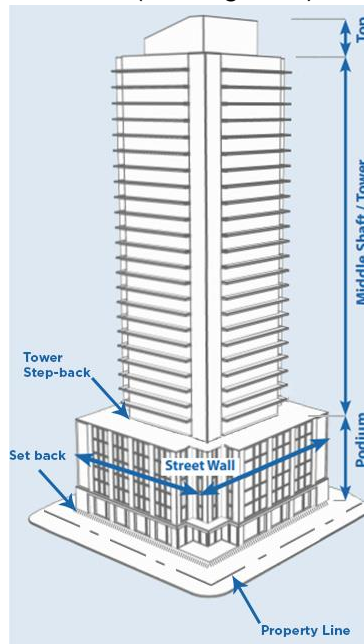


Figure 1: Example of podium massing and built form at the base of an apartment building.

As an alternative to setback or yard requirements based on changes in metric building height, staff are recommending introducing these requirements based on the podium versus tower. The yard requirement for the podium ranges depending on the presence of commercial versus residential uses and is intended to provide adequate space to promote activation of street-related uses, while ensuring pedestrian walkability and comfort. The setback requirement of the tower provides flexibility of how the tower portion is articulated and designed without having to be prescriptive to height.

## 2. Permitted Uses

The Apartment Zones allow for a limited number of accessory non-residential uses. Staff conducted an analysis of all non-residential uses requested for apartment development applications and noted a wide variety in comparison to the permissions. The intent of the Urban Apartment Zones would be to permit a broader range of accessory non-residential uses, contributing to the establishment of complete communities (see Table 1).

Accessory Non-Residential Uses	Apartment Zones	Urban Apartment Zones
Retail Store	X	X
Service Establishment	X	X
Financial Institution	X	X
Office	X	X
Medical Office – Restricted	X	X
Restaurant		X
Take-out Restaurant		X
Medical Office		X
Veterinary Clinic		X
Entertainment Establishment		X
Recreational Establishment		X
Private Club		X
Repair Establishment		X

Table 1: Accessory non-residential uses permitted for the Apartment Zones versus the Urban Apartment Zones.

The proposed Urban Apartment Zones would be permitted to contain the accessory non-residential uses outlined in Table 1 and additional regulations would be introduced to promote active, street-related commercial uses including:

- Windows on the first storey to encourage safe and active street frontages;
- Canopies and/or awnings on the first storey for pedestrian comfort and walkability;
- Generous first floor heights to establish a prominent commercial presence;
- Entrances that directly face the street to encourage pedestrian activity and an active public realm.

### 3. Landscaping & Amenity Area

The Apartment Zones have generous requirements for landscaping, intended to promote high-rise apartment buildings surrounded by green space. These requirements can prove to be increasingly difficult to meet on constrained sites within an urban context. The Urban Apartment Zones increase the amount of flexibility on landscaping and amenity area requirements and recognize the challenges typical of high-density development in urban areas.

The Urban Apartment Zones are proposed to require 4.5 m<sup>2</sup> (48 ft<sup>2</sup>) of amenity area per dwelling unit, based on an analysis of amenity area rates typically seen in recent apartment buildings that are high-rise or located in an urban context (i.e. Downtown Core). Staff are also recommending the outdoor amenity area be contiguous to ensure the amenity space provided is meaningful and programmable. Lastly, outdoor amenity area will not be limited to at grade locations and will now also be permitted to locate on top of podiums and the rooftop.

### 4. Parking

To maximize public realm space and pedestrian walkability, underground parking is preferred in the Urban Apartment Zones. Staff propose regulations that prohibit parking or servicing from

facing the street or require that it be integrated within the podium, to decrease vehicular interruptions along the streetscape and to ensure a continuous street wall.

The intent of the Urban Apartment Zones is to shift away from car-centricity and promote walkable, complete tower communities that do not create excessive parking requirements. Most non-residential uses that would be permitted in the Urban Apartment Zones can benefit from the shared parking regulations contained within the City's Zoning By-law. In mixed use developments, shared parking is permitted between residential visitor space and non-residential uses and can be used to limit the oversupply of parking by combining parking requirements.

For more information on the proposed zoning amendments, please see Appendix 2.

## OFFICIAL PLAN DESIGNATION

Mississauga Official Plan (MOP) permits apartment buildings in the **Residential High Density** and **Mixed Use** land use designations, with policies emphasizing varying levels of a commercial or residential presence. As such, staff are recommending two versions of the Urban Apartment Zone, **RA6** and **RA7**, each containing regulations specific to their appropriate Official Plan designation as described in Appendices 1 and 2.

## PLANNING ANALYSIS SUMMARY

The *Provincial Policy Statement (PPS)* establishes the overall policy directions on matters of provincial interest related to land use planning and development within Ontario. It sets out province-wide direction on matters related to the efficient use and management of land and infrastructure; the provision of housing; the protection of the environment, resources and water; and, economic development. The *Growth Plan for the Greater Golden Horseshoe* (Growth Plan) builds upon the policy framework established by the PPS and provides more specific land use planning policies, which support the achievement of complete communities, a thriving economy, a clean and healthy environment and social equity. The Growth Plan establishes minimum intensification targets and requires municipalities to direct growth to existing built-up areas and strategic growth areas to make efficient use of land, infrastructure and transit.

The *Planning Act* requires that municipalities' decisions regarding planning matters be consistent with the *Provincial Policy Statement* (PPS) and conform with the applicable provincial plans and the Region of Peel Official Plan (ROP). Mississauga Official Plan is generally consistent with the PPS and conforms with the Growth Plan, the *Greenbelt Plan*, the *Parkway Belt West Plan* and the ROP.

The proposed amendments are consistent with the *Provincial Policy Statement* and conforms to the *Growth Plan for the Greater Golden Horseshoe*, the Region of Peel Official Plan and Mississauga Official Plan. A detailed planning policy analysis can be found in Appendix 1 of this report.

## Financial Impact

There is no financial impact resulting from the recommendation of this report.

## Conclusion

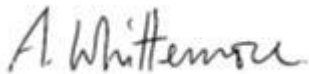
The City's Planning and Building Department is committed to continuous improvement of our service portfolio so that landowners, businesses, residents, and other parties can help us deliver on our commitment to facilitate economic growth and the development of land. This includes evaluating the City's Zoning By-law on a consistent basis to respond to evolving trends and issues. The proposed Urban Apartment Zone category works to address the gap between the City's existing Apartment Zones by introducing new zones for apartment buildings located within urban contexts.

The new Urban Apartment Zones will facilitate a built form that fits within an urban context. It will allow residents living in tower communities with the opportunity to live in closer proximity to a broader range of accessory uses and amenities while promoting pedestrian-scaled streetscapes and a vibrant public realm. In summary, the proposed zoning by-law amendments are acceptable from a planning standpoint and should be approved.

## Attachments

Appendix 1: Detailed Planning Analysis

Appendix 2: Proposed Zoning By-law Amendments



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