

# PLANNING JUSTIFICATION REPORT Addendum

4094 Tomken Road & 924 Rathburn  
Road  
City of Mississauga

## Official Plan Amendment and Zoning By-law Amendment

**Date:**

October 2023

**Prepared for:**

Kindred Works (United Property Resource Corporation)

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PLANNING  
URBAN DESIGN  
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ARCHITECTURE

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# 1.0 Introduction

MacNaughton Hermsen Britton Clarkson Planning Limited (“MHBC”) has been retained by the United Property Resource Corporation (the “Applicant”) to seek approvals to redevelop the property commonly known as Westminster United Church. The property is located at the southwest corner of Tomken Road and Rathburn Road East. The Subject Lands are on a corner lot with frontage on Tomken Road and Rathburn Road, and municipally addressed as 4094 Tomken Road & 924 Rathburn Road, in the City of Mississauga (the “Subject Lands”), as shown on **Figure 1**.

This Planning Justification Report (“PJR”) Addendum has been prepared to update the original PJR dated December 2022, which was included with the original application submission. The Addendum is being included with a resubmission in response to staff comments and provides the following information:

- A description of the revised proposal;
- A description of the revised Shadow Study;
- A description of the revised draft Official Plan Amendment;
- A description of the revised draft Zoning By-law Amendment;
- A review of the in-effect Region of Peel Official Plan per approval from the Minister of Municipal Affairs and Housing on November 4, 2022; and,
- A planning justification of the proposed 12-storey building heights.

Since June 2021, the Applicant and project team have been working diligently with City staff and community stakeholders to develop a redevelopment proposal for the Westminster United Church site. A Development Application Review Committee (“DARC”) meeting was held with City staff on August 18, 2021. In December 2022, a formal Official Plan and Zoning By-law Amendment application was submitted to the City of Mississauga. Following the receipt and review of first submission comments, meetings between the Applicant and City staff have occurred, and a community meeting took place on March 20, 2023. **A comment/response table outlining how comments have been addressed is included in the resubmission package.**

# 2.0 Revised Development Proposal

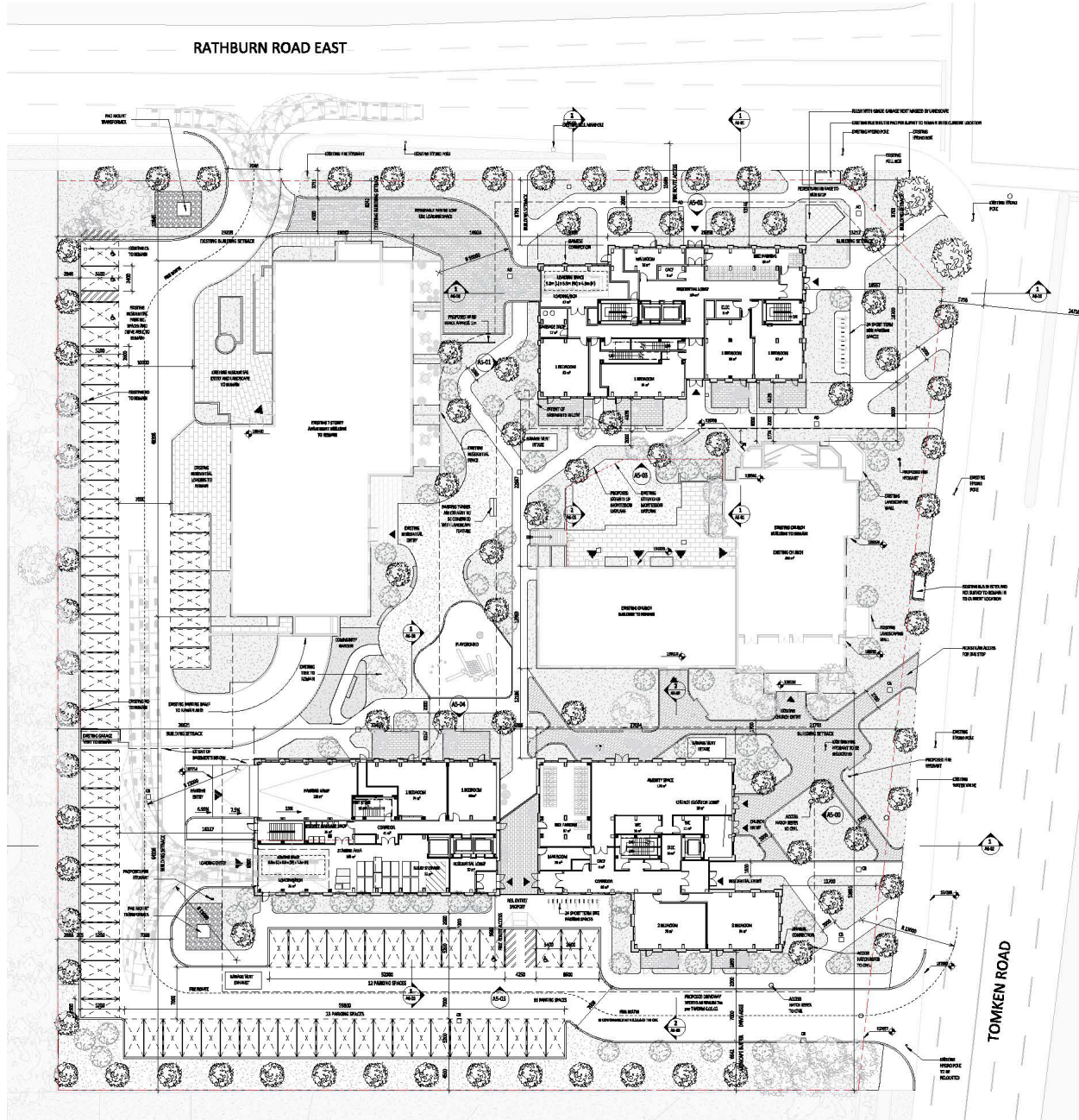
The Applicant is seeking approval of an Official Plan and Zoning By-law Amendment application to enable the redevelopment of the Subject Lands to include retention of the existing 7-storey rental apartment building and place of worship, and the introduction of two new 12-storey rental apartment buildings.

Since the initial DARC meeting in August 2021, the proposal has undergone iterative revisions to reflect initial discussions with City staff, technical comments, as well as community feedback. As a result of these comments, as well as additional studies undertaken by the project team, the following key changes were made to the proposed redevelopment:

- Eliminated one (1) driveway access to Tomken Road.
- Activated the north façade of Building 1, fronting Rathburn Road by bringing the lobby to the street face and reducing the amount of loading facing Rathburn Road. Updated the main entrance of Building 1 to be 13.6m from Rathburn Road.
- Reduced the paving of the loading area for Building 1 and where paving is required, the asphalt has been replaced with permeable unit pavers to facilitate infrequent residential loading.
- Relocated the surface parking in front of Building 1 to the underground lot.
- Provided an internal access corridor for all of the units at the ground floor. These units still have access to a patio at the back of their unit but the main entry will be through the buildings.
- Accommodated a 6.1m setback from the pedestrian walkway to the ground floor units where possible. In more constrained areas such as the south side of Building 1 and Building 2, a 4.2m distance from the pedestrian walkway to the ground floor units is provide.
- Consolidated some of the walkways in front of Building 1.
- Separated the church and Building 1 to the required 8.0m distance, however, the 2.0m walkway was adjusted to give more buffer between the public walkway and the private patios. There is a 1.77m green buffer for the church and a 4.23m green buffer for the ground floor units, which along with the 2.0m walkway make up the 8.0m buffer between the buildings.
- Adjusted the building mass to reduce shadow impacts, to be in compliance with the mixed use, commercial, employment and high density residential streets which reflects the roads of Tomken Road and Rathburn Road. Refer to Section 2.1 below for more detail.

The revised proposal provides for two 12-storey (43.8m) residential buildings containing 250 residential dwelling units. Of the 250 units proposed, 100% are to be rental, with 30% targeted to be affordable rental units.

The revised Site Plan is included below. A full revised Architectural Set is included with the resubmission materials.



**Figure 1: Revised Site Plan**

The revised summary of redevelopment statistics is provided in the table below.

**Table 1: Summary of Proposed Redevelopment Statistics**

CHARACTERISTIC	INITIAL SUBMISSION	REVISED SUBMISSION
Total Site Area	1.414 ha	1.414 ha
Gross Floor Area		
Proposed New	18,333 sq.m.	18,604 sq.m.
Existing	8,042 sq.m.	8,042 sq.m.
Total	26,375 sq.m.	26,646 sq.m.
Residential Units	241	250
Vehicle Parking	386	397
Proposed FSI	1.87	1.88
Proposed Bicycle Parking Spaces	196	202

For a full list of plan revisions, please refer to the comment response matrix included in the resubmission materials.

## 2.1 Revised Shadow Study & Massing

Comments received on the initial Shadow Study prepared with the original submission materials prompted revisions to the Site Plan to minimize the impact of shadows on adjacent properties and an updated Shadow Study, both prepared by KPMB Architects. The revised drawings demonstrate that the proposed redevelopment is in general compliance with the City of Mississauga’s Shadow Study terms of reference, discussed further below and in the Shadow Study accompanying this submission.

The revised massing has shifted more of the building to face Tomken Road by moving the outdoor terrace level on Level 6 to the west side of the building, which reduces the shadow impacts on the low rise residential neighbours to the southeast of Building 2.

More specifically, the massing accommodates the following changes:

- Reduce the shadow impact on 1010 Wetherby Lane (impact on June 21 4:20pm, 5:20pm, 6:20pm and 7:20pm).
- Reduce the shadow impact and 1006 Wetherby Lane (impact on June 21 5:20pm, 6:20pm and 7:20pm).
- Remove all shadow impact on 1014 Wetherby Lane for June 21 at 4:20pm.
- Remove all shadow impact on 1018 Wetherby Lane for June 21 at 5:20pm.
- No proposed shadows reach the central communal outdoor space associated with the neighbouring properties of 4105 and 4125 Tomken Road for more than 1 hour. The only time there is a proposed shadow that lands on that location is December 21 at 2:17pm.

The shadows on September 21 at 5:12pm are for one hour on their shared surface parking space.

The Sun Access Factor requirement of at least 50% is achieved for the Level 6 outdoor landscape area/terrace. The Sun Access Factor requirement of at least 50% was not achieved for the play space or the community garden at grade, however, these at grade elements have been strategically placed in the most sun lit spaces at grade and generally have good sun coverage throughout the year, ranging from 24 - 38%.

As a result of the revisions to building massing, shadow impacts are now limited to only two properties, and encroachment beyond the line of impact has been significantly reduced and only occurs within the June test time period. It should be noted as well that impacts are not uniform across the full rear yards of these properties, which feature abnormally large rear yards and as such will still largely remain free of any shadow impacts.

The revised Shadow Study has been included in this resubmission, which includes a written analysis.

## **2.2 Revised Proposed Amendments**

### **2.2.1 Proposed Official Plan Amendment**

The revised Official Plan Amendment (OPA) updates the proposed FSI from 1.87 to 1.9 to reflect the changes made to the Site Plan in response to comments received. Language was also clarified to specify that the FSI applies to the entirety of the Subject Lands as shown, in the event that future land division occurs.

This site-specific amendment is in keeping with the policy direction of the Official Plan for the Rathwood Neighbourhood, which directs Tomken Road to be the focus of future low-rise and mid-rise mixed use development.

A revised draft OPA has been prepared to facilitate the development proposal, and is included in **Appendix B**.

### **2.2.2 Proposed Zoning By-law Amendment**

The revised Zoning By-law Amendment (ZBA) updates the following site-specific regulations:

- Maximum Floor Space Index – from 1.87 to 1.9 FSI
- Minimum front yard – from 9.5m to 8.79m
- Minimum separation between buildings – from 6.07m to 8.0m
- Minimum depth of landscape buffer – from 2.95m to 2.3m
- Minimum parking rates

A revised draft ZBA has been prepared to facilitate the revised development proposal, and is included in **Appendix C** of this report. A revised zoning compliance chart has also been prepared, and is included in **Appendix A**.



# 3.0 Updates to Policy Assessment

Since the initial preparation and submission of the PJR in December 2022, the Province has released a number of amendments to the Planning Act, including Bill 109, Bill 23, and Bill 97, as well as requirements for housing pledges from Ontario's 26 fastest growing municipalities. Changes to the Planning Act in relation to the proposed development are minor in nature, and as such upon review, the analysis in the original PJR continues to apply and the proposal continues to have regard for all matters of Provincial Interest as set out in the Planning Act as summarized in the December 2022 report.

The analysis of the Provincial Policy Statement, Growth Plan, City of Mississauga Official Plan, and City of Mississauga Zoning By-law, as set out in the initial PJR, continues to apply to the revised application. It should be noted that the City of Mississauga, since the time of the initial application submission, has pledge to provide for 120,000 new units by 2031. The proposed development will continue to provide for additional housing to meet this requirement.

However, with respect to the recent policy changes to the Region of Peel Official Plan, the following assessment is provided in relation to the revised application and has been considered in the analysis of this report.

## 3.1 Peel Region Official Plan (April 2022, as amended with Provincial Decision - November 4, 2022)

The new Peel Region Official Plan ('ROP') (April 2022) was approved with modifications by the Ministry of Municipal Affairs and Housing on November 4, 2022. The new ROP repeals and places the in-effect Official Plan adopted by the Region in 1996 and all amendments thereto. The new ROP outlines a comprehensive land use policy framework to guide growth and development within the Region to 2051.

Within the new ROP, the Subject Lands are located within the *Urban System* on Schedule E-1 – Regional Structure and *Built-Up Area* on Schedule E-3 – The Growth Plan Policy Areas in Peel. The Subject Lands also immediately adjacent a Strategic Growth Area, being a *Primary or Secondary Major Transit Station Area* (MTSA) on Schedule E-2 – Strategic Growth Areas, which is further

defined as a *Secondary Major Transit Station Area* and *Growth Plan Priority Transit Corridors* on Schedule E-5 – Major Transit Station Areas.

The following provides an evaluation of the proposed redevelopment in the context of the new ROP.

**Chapter 4** of the ROP establishes the goals, objectives and policies for growth in the Region, including the population and employment forecasts to provide the framework for future growth in Peel. These forecasts serve as the bases for determining Regional services and establishing land requirements to accommodate growth to the year 2051. Ultimately, it is a goal to ensure that future growth of population, household and employment in Peel is anticipated and planned for, and that existing and future finances and services to accommodate this growth are provided in an effective and efficient manner (**Goal 4.2**). In accordance with the new ROP, Mississauga's population is anticipated to grow to a total population of 995,000 and 345,000 households by 2051.

## **Chapter 5: Regional Structure**

**Section 5.4** of the new ROP contains objectives and policies related to growth management, which are intended to contribute to the achievement of complete communities within the Region.

### ***Growth Management Objectives***

*"5.4.1 To optimize the use of the existing land supply of the Region by directing a significant portion of growth to the Delineated Built-up Areas through intensification, particularly Strategic Growth Areas such as the Urban Growth Centres, intensification corridors and Major Transit Station Areas.*

*5.4.6 To optimize the use of the existing and planned infrastructure and services.*

*5.4.7 Promote the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.*

*5.4.8 To support planning for complete communities in Peel that are compact, well-designed, transit-supportive, offer transportation choices, include a diverse mix of land uses, accommodate people at all stages of life and have an appropriate mix of housing, a good range of jobs, high quality open space, and easy access to retail and services to meet daily needs."*

**The proposed redevelopment supports the Region's Growth Management objectives by optimizing the use of existing land supply in the Region by intensifying an underutilized parcel of land within the Delineated Built Up Area and adjacent a**

**Secondary Major Transit Station Area and Strategic Growth Area. The proposed redevelopment also takes advantage of existing infrastructure and supports cost-effective development patterns by intensifying an underutilized parcel of land with a more compact built form. The Functional Servicing and Stormwater Management Report prepared in support of this application confirms the suitability of existing municipal infrastructure to service the proposed redevelopment.**

**The proposed redevelopment supports the Region’s objective to establish complete communities, as the Subject Lands are located within close proximity to a variety of commercial, employment and recreational uses. The proposed redevelopment will provide for additional residential units through a mix of affordable and market rental housing units and to accommodate residents at all stages of life through a mix and range of housing types. The Subject Lands are well served by transit and represent an efficient use of land, which utilizes its close proximity to local and higher order transit and recreational trails to promote transit usage and active transportation.**

*Intensification Objectives*

- "5.4.18.1 To achieve efficient and compact built forms.*
- 5.4.18.2 To optimize the use of existing infrastructure and services.*
- 5.4.18.3 To revitalize and/or enhance developed areas.*
- 5.4.18.4 To intensify development on underutilized lands.*
- 5.4.18.5 To reduce dependence on the automobile through the development of mixed-use, transit supportive, pedestrian-friendly urban environments.*
- 5.4.18.6 To optimize all intensification opportunities across the Region and maximize development within Strategic Growth Areas.*
- 5.4.18.8 To achieve a diverse and compatible mix of land uses including residential and employment uses to support vibrant neighbourhoods."*

**The proposed redevelopment meets the above noted objectives of the new ROP by providing for intensification of an underutilized site that is well served by transit and can be serviced by existing infrastructure, as demonstrated in the Functional Servicing Report accompanying this application. The proposed redevelopment will achieve a compact and efficient urban form by providing for two 12-storey residential buildings an area that is intended for and appropriate for intensification, in a neighbourhood well-served by commercial, retail, and employment needs. The reduced parking rates proposed also support and align with the objective to reduce automobile dependence.**

**The proposed redevelopment will introduce a compatible use and built form to support a vibrant neighbourhood and reduce automobile dependency by providing convenient access to local transit.**

### *Intensification Policies*

*"5.4.18.10 Facilitate and promote intensification.*

*5.4.18.12 Require that between 2021 and 2051, a minimum of 55 per cent of the Region's residential development occurring annually to be located within the Delineated Built Boundary.*

*5.4.18.13 To 2051, the minimum amount of residential development within the Delineated Built Boundary of the local municipalities shall be as follows:*

- City of Mississauga: a minimum of 96 per cent."*

**The proposed redevelopment provides for intensification of a currently underutilized site with a compact built form, and will contribute a total of 250 new residential dwelling units in order to assist the Region in achieving the intensification and density targets of the new ROP.**

**Section 5.6** of the new ROP contains objectives and policies related to the Urban System, which is composed of a variety of communities that contain diverse living, working and cultural opportunities.

### *Urban System Objectives*

*"5.6.1 To achieve sustainable development within the Urban System, reduce greenhouse gas emissions, and adapt the region to a changing climate.*

*5.6.2 To establish complete healthy communities that contain living, working and recreational opportunities, with respect to the natural environment, resources and the characteristics of existing communities.*

*5.6.3 To achieve intensified and compact built form and a mix of land uses in appropriate areas that efficiently use land, services, infrastructure and public finances while taking into account the characteristics of existing communities and services.*

*5.6.4 To achieve an urban structure, form and densities which are pedestrian-friendly and transit-supportive.*

*5.6.7 To provide for the needs of Peel's changing age structure and allow opportunities for residents to live in their own communities as they age.*

**The proposed redevelopment will support the achievement of sustainable development within the Urban System through the redevelopment and intensification of an underutilized site with a more compact built form. The proposed redevelopment is located within close proximity to a variety of commercial, employment and recreational uses and will provide for additional residential units, including affordable housing units, which will contribute to a complete community. Further, the proposed redevelopment is well served by transit and represents an efficient use of land which utilizes its close proximity to local and higher order transit and recreational trails to promote transit usage and active transportation.**

### *Urban System Policies*

*"5.6.11 Direct urban development and redevelopment to the Urban System within the Regional Urban Boundary, as shown on Schedule E-1, consistent with the policies in this Plan and the local municipal official plan*

*5.6.13 Require development and redevelopment in the Urban System to proceed according to the growth management and phasing policies of this Plan, and the planned provision of necessary services."*

**In accordance with Schedule E-1 of the new ROP, the Subject Lands are located within the Region of Peel's Urban System and within the 2051 Regional Urban Boundary. The Functional Servicing and Stormwater Management Report prepared in support of this application confirms the suitability of existing municipal infrastructure to service the proposed redevelopment.**

*"5.6.15 Direct the local municipalities, while taking into account the characteristics of existing communities, to include policies in their official plans that:*

- a) support the Urban System objectives and policies in this Plan;*
- b) support pedestrian-friendly and transit-supportive urban development;*
- c) provide transit-supportive opportunities for redevelopment, intensification and mixed land use;"*

**The proposed redevelopment will assist the City of Mississauga and the Region of Peel in achieving these policies by providing for the redevelopment and intensification of a currently underutilized site with a more compact built form. The proposed redevelopment is located within close proximity to a variety of commercial, employment and recreational uses, transit services, and parks, open spaces and recreational trails.**

**Section 5.9** of the ROP contains policies related to the provision of housing in order to meet the full range and needs in Peel through sustainable development patterns.

### *Housing Objectives*

*5.9.1 To promote the development of compact, complete communities by supporting intensification and higher density forms of housing*

*5.9.2 To achieve Peel-wide new housing unit targets shown in Table 4, which provide an appropriate range and mix of housing options and densities, including affordable housing, that meet local housing need so that people can live in the community of their choice.*

*5.9.3 To ensure an adequate supply of rental housing stock to meet local need.*

*5.9.5 To make housing available for diverse populations, including the provision of accessible housing and appropriate support services.*

*5.9.6 To consider barriers to housing, including social and economic factors.”*

**Policy 5.9.7** of the new ROP states that the Region will collaborate with the local municipalities to plan for an appropriate range and mix of housing options by implementing Peel-wide housing unit targets, shown in Table 4 of the ROP, and included below.

Affordability	That 30% of all new housing units are affordable housing, of which 50% of all affordable housing units are encouraged to be affordable to low income households.
Rental	That 25% of all new housing units are rental tenure.
Density	That 50% of all new housing units are in forms other than detached and semi-detached houses.

**The proposed redevelopment supports the development of compact, complete communities through the intensification of an underutilized site and providing a higher-density housing in the form of two 12-storey apartment buildings. The proposed redevelopment will help the Region of Peel achieve their new housing unit targets, as it provides 250 rental residential dwelling units including 1, 2 and 3 bedroom units. Consistent with the goals of the new ROP, all of the proposed units will be of rental tenure, with 30% of the proposed units targeted to be affordable units. The mix of housing unit types will support a range of age groups, including families,**

**and accommodate the housing needs of a variety of residents within the City of Mississauga. The provision of affordable housing on site will provide housing choice for current and future residents of the City of Mississauga, and contribute to the Region of Peel’s affordable rental housing target.**

*"5.9.21 Collaborate with the local municipalities to explore offering incentives to support affordable and purpose-built rental housing to achieve Peel-wide new housing unit targets shown in Table 4.*

*5.9.22 Collaborate with the local municipalities to explore opportunities to prioritize planning approvals for affordable housing developments.*

*5.9.23 Collaborate with local municipalities, developers, and non-profit organizations on the administration of affordable housing units, including the administration of units secured through Inclusionary Zoning as per Policies 5.9.39 and 5.9.40 to support long-term affordability.*

*5.9.24 Encourage the local municipalities to consider alternative development and design standards for affordable housing development including reduced setbacks, narrower lot sizes, reduced parking standards, and on street parking management."*

**The proposed redevelopment will provide for 250 new rental dwelling units, of which 30% are targeted to be affordable rental unit. The proposed redevelopment represents a significant contribution to the supply of affordable housing within Peel Region and the City of Mississauga, and is proposed in a compact, transit-supportive built form through the intensification of a currently underutilized place of worship site. Accordingly, the proposed OPA and ZBA seek to permit additional height and density to optimize the provision of affordable housing, and apply site-specific development standards, as described in Section 2.0 of this report.**

### *Housing and Sustainable Development*

*"5.9.41 Collaborate with the local municipalities to identify and promote energy and water efficient technologies in new and existing residential development, redevelopment, and intensification to the development industry."*

**Environmental sustainability was critical in the design of the proposed redevelopment, which will include timber construction, passive ventilation, family-friendly amenities, and will pursue Passive House Certification and Zero On-Site Carbon.**

**Section 5.10** of the ROP provides policy direction on the transportation system in Peel.

*"5.10.1 To develop an integrated and multi-modal transportation system to support complete communities in the Region and help to support the same within the GTHA.*

*5.10.2 To promote sustainable transportation modes, barrier (environmental or physical) free mobility, and improved mobility choices for people of all ages, abilities and income levels.*

*5.10.3 To optimize the use of existing Regional transportation infrastructure and services by prioritizing the safe, sustainable and efficient movement of people and goods by all modes."*

**The proposed redevelopment will assist in optimizing existing and planned transportation facilities, including the existing local transit network and Mississauga Transitway, by providing for a high density, compact, mid-rise built form in close proximity to existing transit facilities. The proposed redevelopment will support the development of a sustainable and efficient multi-modal transportation system, and the Urban Transportation Considerations Study prepared in support of this submission outlines the proposed TDM measures, including reduced parking requirements, intended to encourage and support the use of public transit and active transportation within Peel Region.**

**Section 5.10.34** of the new ROP provides objectives and policies for sustainable transportation in the Region.

### ***Sustainable Transportation Objectives***

*"5.10.34.1 To reduce auto dependency by providing a range of transportation services to meet the diverse needs of the population.*

*5.10.34.3 To encourage the connectivity and coordination between transit services.*

*5.10.34.7 To encourage and support the development of a safe, attractive, accessible and integrated network of active transportation facilities that enhance quality of life, and promote the improved health of Peel residents of all ages and abilities.*

*5.10.34.8 To promote a transportation system that encourages reduced emissions, and energy conservation."*

**The proposed redevelopment will support active and sustainable modes of transportation by locating new residential uses in close proximity to a range of community amenities, including retail and service commercial uses, and in close proximity to existing and planned transit connections. The proposed redevelopment**



**also contains 202 bicycle parking spaces on site, which will accommodate active transportation among future residents.**

### **Summary / Conformity Statement**

**The proposed redevelopment meets the applicable goals, objectives and policies of the new Region of Peel Official Plan, and represents an intensification opportunity that supports sustainable, cost-effective, and transit supportive growth. The proposed redevelopment will provide a mid-rise built form compatible with the surrounding area, increase housing variety and choice in the area, and support local employment and retail uses. The proposed redevelopment and associated OPA and ZBA will contribute to the achievement of Regional objectives for Urban Areas, and is in conformity with the applicable policies of the Region of Peel Official Plan.**

# 4.0 Additional Planning Justification

## 4.1 Height Justification

Comments received from the City on the initial submission indicated the need for further justification of the proposed 12-storey building height within the planning policy and neighbourhood context. The proposed redevelopment and associated Official Plan and Zoning By-law Amendments represent an appropriate redevelopment of the Subject Lands, in keeping with the Provincial, Regional, and municipal policies and regulations as well as the surrounding neighbourhood and City-wide development context.

### 4.1.1 Policy Context

As discussed in the Planning Policy Analysis contained within the initial Planning Justification Report and this Addendum Planning Justification Report, the Subject Lands are located within the Urban System in the new ROP immediately adjacent a Secondary Major Transit Station Area and Strategic Growth Area, are designated Residential High Density and are located within the Rathwood Neighbourhood Character Area in the Mississauga Official Plan ('OP').

The policies of the Urban System within the new ROP, discussed further above, direct the intensification of development on underutilized lands, requiring 96% of growth within Mississauga to occur through intensification, and achieving urban form and densities which are pedestrian friendly and transit supportive. The proposal as revised provides for 250 rental dwelling units on a currently underutilized site, immediately adjacent a Secondary Major Transit Station Area and Strategic Growth Area, and accordingly provide for appropriate intensification, scale, and density to support existing and planned transit service while supporting a vibrant pedestrian environment. The proposed 12-storey height further allows for 250 units which are consistent with and support the Region's Peel-Wide New Housing Unit Targets as set out in the ROP.

Within the City's Official Plan the Residential High Density designation permits the proposed 12-storey building height as-of-right, however, the policies of the Rathburn Character Area restrict the permitted building heights to 4-storeys, with provisions to permit additional height where it can be demonstrated that an appropriate transition is achieved, the proposal enhances planned development, the City Structure hierarchy is maintained, and the development proposal is consistent with the Official Plan. With respect to transition, the proposed development respects the applicable 45-degree angular plane requirements from the rear and interior side lot lines, and the revised massing significantly reduces net shadow impacts as further discussed in Section 2.1 of this report. The new ROP designates the lands immediately north of the Subject Lands, across Rathburn, as a Secondary Major Transit Station Area and Strategic Growth Area. The City, through the ongoing Official Plan Review, will therefore be required to implement these changes. The proposed 12-storey building heights are compatible with this new planned context immediately to the north, providing for transit supportive density and a high quality public realm along both street frontages. Additionally, the proposed rental tenure and affordable component align with the

policies and goals of both the Region and City, and support the City's housing pledge and associated targets as set out and required by the Province. As the Subject Lands are designated High Density in the current City of Mississauga Official Plan, the proposed 12-storey building height is consistent with and maintains the City's structure hierarchy, and the proposed amendment recognizes that the Rathwood Neighbourhood Character policies are not reflective of the emerging context to the north nor the existing context at this location at the intersection of two Major Collector Roads.

Planning policy in Ontario, at all levels, encourages the intensification of lands within Built-Up Areas to maximize the efficiency of land and utilities, as well as the optimization of lands without adverse impact, and directs higher-density development to major intersections and in proximity to public transit. The proposed 12-storey buildings support these planning best practices by intensifying an underutilized parcel of land located at the corner of two Major Collector Roads, in an area that is well-served by public transit. There are no adverse impacts associated with the height of the proposed buildings. The City's intent to support higher-density land uses around the intersection of Tomken Road and Rathburn Road is clear, as the properties to the northwest, southwest, and southeast of the intersection are designated as Mixed Use and Residential High Density. Further, the lands directly north of the Subject Lands are within the Cawthra Protected MTSA, where higher-density land uses are expected and to be planned.

#### **4.1.2 Development Context**

As discussed above, higher-density development is intended to be directed towards Major Collector Roads in the City of Mississauga, which is evident in a number of currently active development applications in proximity to the Subject Lands. Notable developments in Ward 3 are highlighted below:

- **1840-1850 Bloor Street:** Proposed redevelopment to intensify site by adding two 18-storey apartment buildings with 433 residential units and retaining two existing 14-storey apartment buildings.
- **1785 Bloor Street:** Proposed redevelopment to intensify site by adding a 14-storey apartment building with 238 units and retaining the existing 10-storey apartment building. Low-density residential uses are located to the east of the site.
- **1750 Bloor Street & 3315 Fieldgate Drive:** Proposed redevelopment to intensify site by adding a 17-storey apartment building with 258 units and retaining the two existing 11-storey apartment buildings.

The above-listed sites share many similarities to the Subject Lands, as they are all designated Residential High Density, are located in Neighbourhood Character Areas and front a Major Collector Road. However, the Subject Lands have the additional benefit of fronting onto two Major Collector Roads and being located in immediate proximity to a Protected MTSA. All of the comparable developments retain the existing apartment buildings and propose new apartment buildings with increased height and density. Therefore, the proposed redevelopment, which retains an existing 7-storey apartment and proposes two 12-storey buildings align with the current and emerging development environment. The 12-storey built form and design articulation will provide a unique place-making opportunity for the Rathwood Neighbourhood and will define the intersection of Tomken Road and Rathburn Road.

## **Affordability**

Both the Region of Peel and the City of Mississauga have identified the presence of a housing affordability crisis, and have taken several steps towards increasing the supply of affordable housing, including through policy. Of note, the new Peel-Wide New Housing Unit Targets specify a minimum 30% affordability target for new units, and the new ROP includes policies to facilitate the development of affordable units through incentives, prioritized approvals and alternative development and design standards.

The proposed redevelopment will assist the Region and City in achieving their affordability targets, with 30% of the units proposed targeted to be affordable rental units. The proposed redevelopment optimizes the provision of affordable housing without sacrificing the quality of urban design, and while respecting the character of the surrounding neighbourhood, as represented by the 12-storey built form and design articulation. From a development cost perspective, the 12-storey height is the minimum height required to accommodate the 30% affordability target without sacrificing other design or environmental sustainability elements included in the redevelopment proposal.

# 5.0 Conclusions

As outlined above, together with the revised plans and technical studies, the revised proposed development and associated revised Official Plan and Zoning By-law Amendments represent appropriate development and intensification of the Subject Lands, in keeping with the Provincial, Region, and municipal policies and regulations.

Based on the review of the existing physical context and surrounding area, the technical assessment of the proposed development concept, and an analysis of the proposal within the applicable regulatory framework this PJR Addendum concludes the following:

- The proposed OPA and ZBA represent an appropriate development of the Subject Lands given the existing use of the site, the existing and evolving surrounding context;
- The proposed OPA and ZBA are consistent with and conform to the relevant Provincial policies and legislation including the *Planning Act*, Provincial Policy Statement (2020) and Growth Plan for the Greater Golden Horseshoe (2020);
- The proposed OPA and ZBA will support the advancement of key Regional and municipal goals, including the provision of affordable housing;
- The proposed redevelopment and associated amendments conform to the policy directions of Region of Peel Official Plan;
- The proposed redevelopment and associated amendments conform to the policy directions of the City of Mississauga Official Plan;
- The proposed redevelopment can be adequately serviced and does not create any undue adverse impacts to the existing site and surrounding area; and,
- The proposal is appropriate, represents good planning, and is in the public interest.

It is concluded that the proposed OPA and ZBA implement Provincial, Regional and local policy as directed, and represents good planning.

Respectfully submitted,  
**MHBC**



Dana Anderson, MA, FCIP, RPP  
Partner



Andrew Hannaford, BES, MCIP, RPP  
Associate

# APPENDIX **A**

## **Zoning Compliance Table**

Appendix A: Zoning Compliance Table – Assumes Rathburn Road East as Front Lot Line

Regulation		Standard	Provided	Compliance?
Minimum Lot frontage		30.0 m	106 metres	Yes
Minimum FSI		0.5	1.88	Yes
Maximum FSI		1.0 dedicated to commercial uses and 1.0 dedicated to residential uses	1.9	<b>No – modification requested</b>
Maximum GFA – per storey above 12 storeys		n/a	n/a	n/a
Maximum Height		26.0 m and 8 storeys	43.8 m 12 storeys	<b>No – modification requested</b>
Minimum Front and Exterior Side Yards	For that portion of the dwelling with a height less than or equal to 13.0 m	7.5 m	8.793 m (Front Yard) & 12.25m (Side Yard)	Yes
	For that portion of the dwelling with a height greater than 13.0 m and less than or equal to 20.0 m	8.5 m	8.793 m (Front Yard) & 12.25m (Side Yard)	Yes
	For that portion of the dwelling with a height greater than 20.0 m and less than or equal to 26.0 m	9.5 m	8.79 m (Front Yard) & 13.23 m (Side Yard)	<b>No – modification requested</b>
	For that portion of the dwelling with a height greater than 26.0 m	10.5 m	11.3 m (Front Yard) & 18.8m (Side Yard)	Yes
Minimum Interior Side Yard	For that portion of the dwelling with a height less than or equal to 13.0 m	4.5 m	26.62 m	Yes
	For that portion of the dwelling with a height greater than 13.0 m and less than or equal to 20.0 m	6.0 m	26.62 m	Yes
	For that portion of the dwelling with a height greater than 20.0 m and less than or equal to 26.0 m	7.5 m	26.62 m	Yes
	For that portion of the dwelling with a height greater than 26.0 m	9.0 m	26.62 m	Yes

	Where an interior lot line, or any portion thereof, abuts a zone permitting detached and/or semi-detached	7.5 m plus 1.0 m for each additional 1.0 m of dwelling height, or portion thereof, exceeding 10.0 m to a maximum setback requirement of 25.5 m	N/A – side lot line permits townhouse only	Yes
Minimum Rear Yard	For that portion of the dwelling with a height less than or equal to 13.0 m	7.5 m	18.73 m	Yes
	For that portion of the dwelling with a height greater than 13.0 m and less than or equal to 20.0 m	10.0 m	18.73 m	Yes
	For that portion of the dwelling with a height greater than 20.0 m and less than or equal to 26.0 m	12.5 m	26.38 m	Yes
	For that portion of the dwelling with a height greater than 26.0 m	15.0 m	26.38 m	Yes
	Where a rear lot line, or any portion thereof, abuts a zone permitting detached and/or semi-detached	7.5 m plus 1.0 m for each additional 1.0 m of dwelling height, or portion thereof, exceeding 10.0 m to a maximum setback requirement of 25.5 m	18.73m @ 13.0 m 26.38 m @ 48.3 m	Yes
Minimum Separation Between Buildings	For that portion of the dwelling with a height less than or equal to 13.0 m	3.0 m	8.0 m	Yes
	For that portion of the dwelling with a height greater than 13.0 m and less than or equal to 20.0 m	9.0 m	8.0 m	<b>No – modification requested</b>
	For that portion of the dwelling with a height greater than 20.0 m and less than or equal to 26.0 m	12.0 m	8.0 m	<b>No – modification requested</b>



	For that portion of the dwelling with a height greater than 26.0 m	15.0 m	8.0 m	<b>No – modification requested</b>
Minimum Landscaped Area		40% Lot Area	46%	Yes
Minimum Depth of Landscape Buffer along street line and residential lot line		4.5 m	2.3 m	<b>No – modification requested</b>
Minimum Amenity Area		The greater of 5.6 m <sup>2</sup> per dwelling unit or 10% of the site area	6.4 sq.m. per unit (Building 1) 11.0 sq.m. per unit (Building 2)	Yes
Minimum Parking Rates	Rental Apartment (Precinct 4)	1.0 spaces/unit residential 0.2 spaces/unit visitor	0.8 spaces/unit residential 0.2 spaces/unit visitor	<b>No – modification requested</b>
	Day Care	2.5 spaces per 100 sq.m.	77 spaces for both Day Care and Place of Religious Assembly uses	<b>No – modification requested</b>
	Place of Religious Assembly	27.1 spaces per 100 sq.m.		

<b>Regulation</b>	<b>Standard</b>	<b>Provided</b>	<b>Compliance?</b>
Additional Permitted Uses	<ul style="list-style-type: none"> <li>Place of Religious Assembly</li> <li>Day Care</li> </ul>	Apartment uses permitted	Yes
Regulations	An apartment shall only be permitted in Buildable Area 'A' identified on Schedule RA2-11 of this Exception	Apartments located outside of Buildable Area 'A'	<b>No – modification requested</b>
	Maximum number of apartment dwelling units in Buildable Area 'A' identified on Schedule RA2 of this Exception	Apartment building in Buildable Area 'A' to be retained	<b>No – modification requested</b>
	A place of religious assembly and day care shall only be permitted in Buildable Area 'B' identified on Schedule RA2-11 of this Exception	Place of religious assembly maintained and retained in Buildable Area 'B'	<b>No – modification requested</b>
	Maximum total gross floor area – non-residential in Buildable Area 'B' identified on Schedule RA2-11 of this Exception	Place of religious assembly maintained and retained in Buildable Area 'B'	<b>No – modification requested</b>

	All site development plans shall comply with Schedule RA2-11 of this Exception	Site plan not in compliance – apartment buildings located outside of Buildable Area 'A'	<b>No – modification requested</b>
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# APPENDIX **B**

## **Draft Official Plan Amendment**

**DRAFT OFFICIAL PLAN AMENDMENT – SEPTEMBER 2023**

**The Corporation of the City of Mississauga**

**By-law Number \_\_\_\_\_**

A by-law to Adopt Mississauga Official Plan Amendment No. XX

WHEREAS in accordance with the provisions of section 17 or 22 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, Council may adopt an Official Plan or an amendment thereto;

AND WHEREAS, pursuant to subsection 17(10) of the *Planning Act*, the Ministry of Municipal Affairs and Housing may authorize the Regional Municipality of Peel, an approval authority, to exempt from its approval any or all proposed Local Municipal Official Plan Amendments;

AND WHEREAS, Regional Council passed By-law Number 1-2000 which exempted all Local Municipal Official Plan Amendments adopted by local councils in the Region after March 1, 2000, provided that they conform with the Regional Official Plan and comply with conditions of exemption;

AND WHEREAS, the Commissioner of Public Works for the Region of Peel has advised that, with regard to Amendment No. XX, in his or her opinion the amendment conforms with the Regional Official Plan and is exempt;

NOW THEREFORE the Council of the Corporation of the City of Mississauga ENACTS as follows:

1. The following explanatory text attached hereto, constituting Amendment No. XX to the Mississauga Official Plan, of the City of Mississauga Planning Area, are hereby adopted.

ENACTED and PASSED this \_\_\_\_ day of \_\_\_\_\_, 2023.

Signed \_\_\_\_\_

MAYOR

Signed \_\_\_\_\_

CLERK

**DRAFT OFFICIAL PLAN AMENDMENT – SEPTEMBER 2023**

**EXPLANATORY NOTE TO PROPOSED  
OFFICIAL PLAN AMENDMENT  
NUMBER XX**

**TO THE MISSISSAUGA OFFICIAL PLAN OF THE  
CITY OF MISSISSAUGA PLANNING AREA**

City of Mississauga File No. \_\_\_\_\_

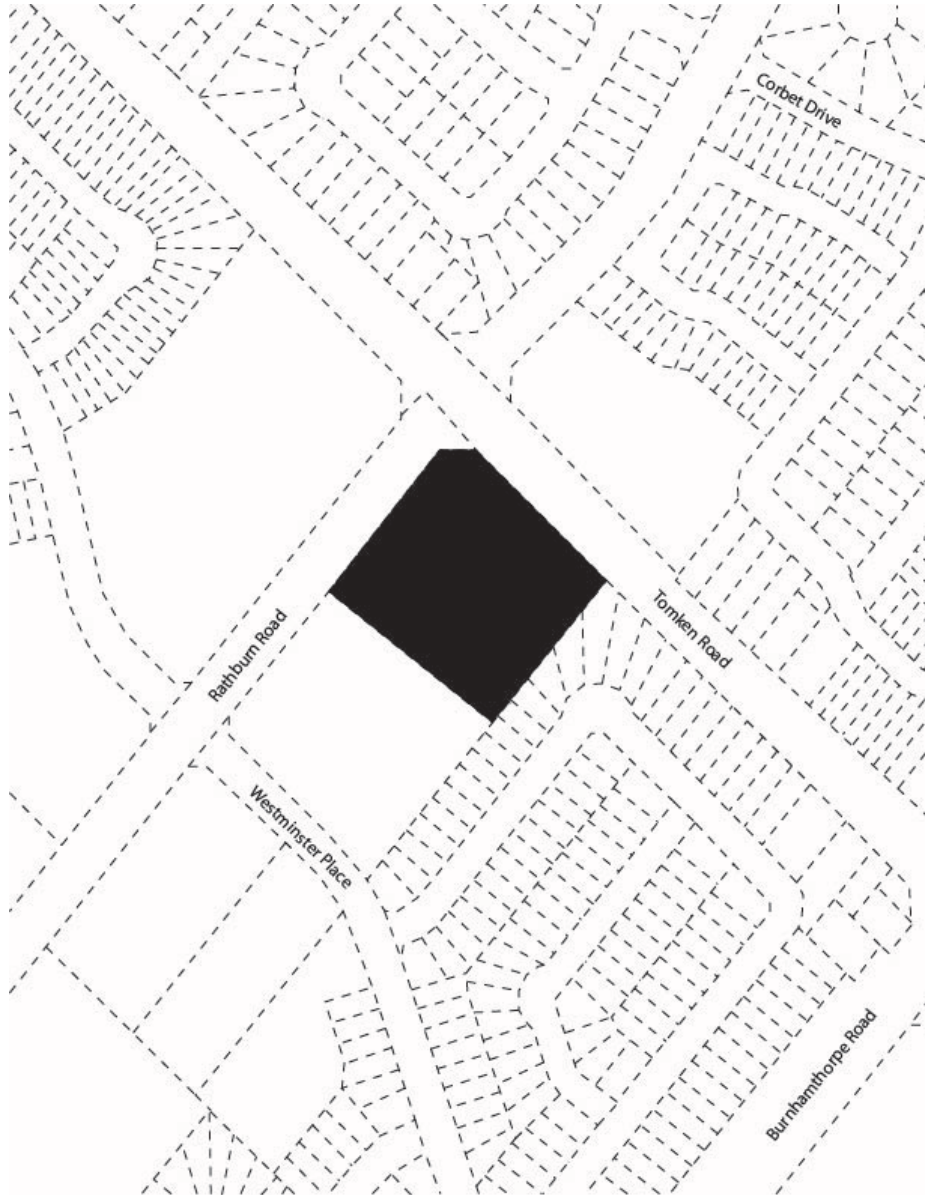
The Proposed Official Plan Amendment applies to lands located at the south-western corner of Rathburn Road and Tomken Road, in the City of Mississauga. The lands are legally described as Pcl Block 100-3 Sec M361, Pt Blk 100 Pl M361, Pt 3, 43r15132 ; S/t Lt334158 Mississauga and Pt Lt 9 Con 2 Nds Toronto Pts 13, 14, 15 & 18 43r18354 ; Mississauga, and are municipally known as 4094 Tomken Road and 924 Rathburn Road.

The purpose of the Official Plan Amendment is to create a site-specific exception to permit residential buildings to be constructed to a maximum proposed height of 12 storeys and an FSI of 1.9.

**DRAFT OFFICIAL PLAN AMENDMENT – SEPTEMBER 2023**

**AMENDMENT NO. XX  
TO THE  
MISSISSAUGA OFFICIAL PLAN**

The following text and map designated Schedule “A” attached hereto constitutes Amendment No. XX.



**PURPOSE**

The purpose of this Amendment is to create a site-specific exception to permit a maximum height of 12 storeys and a density of 1.9 FSI on the Subject Lands, as shown on Schedule “A” where 4 storeys and 0.5-1.0 FSI is currently permitted.

The Amendment will facilitate the development of two 12-storey residential apartment buildings

and the retention of the existing place of worship and 7-storey apartment building on the Subject Site.

## **LOCATION**

The Subject Site is located at the south western corner of Rathburn Road and Tomken Road. The lands are municipally known as 4094 Tomken Road & 924 Rathburn Road East, located in the Rathwood Neighbourhood in the City of Mississauga.

## **BASIS**

The Subject Site is located within the Rathwood Neighbourhood of the City of Mississauga, and is designated *Residential High Density* in accordance with Schedule 10 of the Mississauga Official Plan. The Residential High Density designation permits apartment dwellings as proposed. The Rathwood Neighbourhood policies of the Official Plan further restrict the maximum building height to 4 storeys, and the maximum density to 0.5-1.0 FSI.

The proposed development for the Subject Site consists of two 12-storey residential apartment buildings and retention of the existing 7-storey apartment building and place of worship. The proposed development includes indoor and outdoor amenity spaces, at-grade landscaping, vehicular and bicycle parking spaces. All of the proposed residential units are to be of rental tenure, with 30% of the units proposed targeted to be affordable rental units at 80% of Median Market Rent as defined by CMHC.

In accordance with the policies for Neighbourhoods and for the Rathwood Neighbourhood, the Official Plan permits a maximum building height of 4 storeys and density 0.5-1.0 FSI. The proposed Official Plan Amendment seeks to permit a maximum building height of 12 storeys and density of 1.9 FSI. The proposed Official Plan Amendment to permit additional height and density on the Subject Site is appropriate from a planning standpoint, and should be approved for the following reasons:

1. The proposed amendment is supportive of the policy framework provided in the Provincial Policy Statement, the Growth Plan, and the Region of Peel Official Plan, which each promote a range and mix of housing options as well as the redevelopment of underutilized lands within the existing built-up area that are served by existing transit and infrastructure.
2. The policies and objectives of the Region of Peel Official Plan are supported by the proposal as it contributes to achieving an urban structure, form, and densities which are pedestrian-friendly and transit-supportive. The proposal is located in proximity to existing transit service and infrastructure, and provides for transit-supportive densities which contribute to the Region's goals of achieving intensification of residential and non-residential development along corridors and mobility hubs to support a higher level of transit service.
3. The policies and objectives of the Region of Peel Official Plan regarding the supply of affordable housing are supported by this proposal as new rental dwelling units are proposed, of which 30% are targeted to be affordable rental units at 80% of MMR. This proposal represents a significant contribution to the supply of affordable housing within Peel Region and the City of Mississauga.
4. The policies and objectives of the Mississauga Official Plan are supported by this proposal as it contributes to the range of housing types, sizes, tenure, and built

form, as well as affordable housing. The proposal provides for residential growth through the intensification of a currently underutilized site, and will contribute to a livable and accessible complete community.

## DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

1. Section 16.22.3 of the Mississauga Official Plan, regarding the Rathwood Neighbourhood Special Site Policies, is hereby amended by adding the following key map and text as Special Site XX:

### 16.22.3.X.XX Site XX



16.22.3.X.XX The lands identified as Special Site XX are located at the south-west corner of Rathburn Road and Tomken Road.

16.22.3.X.XX Notwithstanding the provisions of the Neighbourhoods designation, a maximum building height of 12 storeys is permitted on the entirety Subject Lands identified as Special Site XX.

16.22.3.X.XX Notwithstanding the provisions of the Rathwood Neighbourhood, a floor space index (FSI) of 1.9 will be permitted on the entirety Subject Lands identified as Special Site XX.

## IMPLEMENTATION

Upon the approval of this Amendment by the Council of the Corporation of the City of



Mississauga, the Mississauga Official Plan and the Zoning By-law applicable to the Subject Site will be amended to the appropriate classification, in accordance with the intent of this Amendment.

Provisions will be made through the rezoning and site development plan approval process of the lands subject to the Amendment, for development to occur subject to the approved site development plan, to ensure that development occurs in accordance with the intent of the Amendment.

Provisions will be made through the rezoning of the lands subject to this Amendment, for development to occur subject to approved site development, architectural and landscape plans, to ensure that site access, buildings, parking and landscaping are satisfactorily located and designed.

### **INTERPRETATION**

The provisions of the Mississauga Official Plan, as amended from time to time regarding the interpretation of that Plan, shall apply in regard to this Amendment.

Upon approval of this Amendment, Section 16.22.3 of the Mississauga Official Plan will be amended in accordance with the intent of this Amendment.

# APPENDIX **C**

## **Draft Zoning By-law Amendment**

# DRAFT ZONING BY-LAW AMENDMENT

THE CORPORATION OF THE CITY OF MISSISSAUGA

BY-LAW NUMBER \_\_\_\_\_

A by-law to amend By-law Number 0225-2007, as amended.

WHEREAS pursuant to section 34 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, the council of a local municipality may pass a zoning by-law;

NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

1. By-law Number 0225-2007, as amended, being a City of Mississauga Zoning By-law, is amended by deleting Exception RA2-11 and adding the following Exception Table:

4.15.3.XX	Exception: RA2-XX	Map # XX	By-law:
In a RA2-XX zone the permitted <b>uses</b> and applicable regulations shall be as specified for a RA2 zone except that the following <b>uses/regulations</b> shall apply:			
<b>Regulations Applying to Subject Lands</b>			
4.15.3.XX.1	Additional Permitted Uses: (1) <b>Place of Religious Assembly</b> (2) <b>Day Care</b>		
4.15.3.XX.2	Maximum <b>floor space index - apartment dwelling zone</b>		1.9
4.15.3.XX.3	Maximum <b>height - apartment dwelling</b>		43.8 metres or 12 storeys
4.15.3.XX.4	Minimum <b>front yard for that portion of the dwelling with a height greater than 20.0m and less than or equal to 26.0m</b>		8.7 metres
4.15.3.XX.5	Minimum <b>separation between buildings for that portion of the dwelling with a height greater than 13.0 m and less than or equal to 20.0 m.</b>		8.0 metres
4.15.3.XX.6	Minimum <b>separation between buildings for that portion of the dwelling with a height greater than 20.0 m and less than or equal to 26.0 m</b>		8.0 metres
4.15.3.XX.7	Minimum <b>separation between buildings for that portion of the dwelling with a height greater than 26.0 metres</b>		8.0 metres
4.15.3.XX.8	Minimum <b>depth of landscape buffer along street line and residential lot line.</b>		2.3 metres
4.15.3.XX.9	Minimum number of resident parking spaces per unit.		0.8
4.15.3.XX.9	Minimum number of parking spaces for Place of Religious Assembly and Daycare uses.		77 spaces
4.15.3.XX.10	Apartments shall be permitted within 'Buildable Area C and D as shown on Schedule RA2-XX		
4.15.3.XX.10	All site development plans shall comply with Schedule RA5-XX of this Exception		
4.15.3.XX.10	The lands identified in Schedule RA5-XX of this Exception shall be considered as one lot for the purposes of applying the provisions of By-law No. 0225-2007 despite any severance, partition, or division of the lands.		

2. Map Number 08 of Schedule "B" to By-law Number 0225-2007, as amended, being a City of Mississauga Zoning By-law, is amended by changing thereon from "RA2-11", to "RA2-XX" the zoning of Rathwood Neighbourhood in the City of Mississauga, PROVIDED HOWEVER THAT the "RA2-XX" zoning shall only apply to the lands which are shown on the attached Schedule "A", which is deemed to be an integral part of this By law, outlined in the heaviest broken line with the "RA2-XX" zoning indicated thereon.

ENACTED and PASSED this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

**APPENDIX "A" TO BY-LAW NUMBER \_\_\_\_\_**

Explanation of the Purpose and Effect of the By-law

The purpose of this By-law is to permit two 12 storey apartment buildings with 250 residential units and FSI of 1.9.

This By-law amends the zoning of the property outlined in the attached Schedule "A" from "RA2-11 to "RA2-XX" (Residential Apartment – Exception).

Location of Lands Affected

The subject lands are located at the south west corner of Rathburn Road East and Tomken Road, as shown on the attached map designated as Schedule "A".

Further information regarding this By-law may be obtained from \_\_\_\_\_XX\_\_\_\_\_ of the City Planning and Building Department at 905-\_\_\_\_\_ ext. \_\_\_\_\_.