

# City of Mississauga

# Corporate Report



<p>Date: April 16, 2021</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: OZ 20/018 W1</p>
	<p>Meeting date: May 10, 2021</p>

## Subject

### **RECOMMENDATION REPORT (WARD 1)**

**Official Plan Amendment and Rezoning applications to permit an 8 to 15 storey condominium apartment building with ground floor commercial space**

**1381 Lakeshore Road East, northeast corner of Lakeshore Road East and Dixie Road**

**Owner: City Park (Lakeshore) Inc.**

**File: OZ 20/018 W1**

## Recommendation

1. That City Council direct Legal Services, representatives from the appropriate City Departments and any necessary consultants to attend the Local Planning Appeal Tribunal hearing on the subject applications under File OZ 20/018 W1, City Park (Lakeshore) Inc., 1381 Lakeshore Road East to permit an 8 to 15 storey condominium apartment building with ground floor commercial space, in support of the recommendations outlined in the report dated April 16, 2021, from the Commissioner of Planning and Building, that concludes that the proposed Official Plan Amendment and Rezoning applications are not acceptable from a planning standpoint and should not be approved.
2. That City Council provide the Planning and Building Department with the authority to instruct Legal Services on modifications to the position deemed necessary during or before the Local Planning Appeal Tribunal hearing process, however, if there is a potential for settlement then a report shall be brought back to Council by Legal Services.

## Executive Summary

- The applications are to amend Mississauga Official Plan, the Lakeview Local Area Plan and Zoning By-law to permit an 8 to 15 storey condominium apartment building with ground floor commercial.
- The Official Plan Amendment and Rezoning applications have been appealed to the Local Planning Appeal Tribunal (LPAT) by the applicant for non-decision. A pre-hearing

conference has not yet been scheduled.

- It has been concluded that the proposed development is not supportable from a planning perspective.
- The applications are recommended for refusal due to the proposed building's excessive height and inappropriate built form, resulting in negative impacts on adjacent properties and the Lakeshore Road Corridor, among other reasons.
- Staff require direction from Council to attend the LPAT proceedings for these applications in support of the recommendations outlined in this report.

## Background

A public meeting was held by the Planning and Development Committee on January 25, 2021 at which time an Information Report was received for information. The following is the link:

(<https://pub-mississauga.escribemeetings.com/FileStream.ashx?DocumentId=8406> )

Recommendation PDC-0010-2021 was then adopted by Council on February 3, 2021.

1. That the report dated December 24, 2020, from the Commissioner of Planning and Building regarding the applications by City Park Homes to permit an 8 to 15 storey apartment building containing 242 units with 3 levels of underground parking and ground floor retail, under File OZ 20/018 W1, 1381 Lakeshore Road East, be received for information.
2. That eight oral submissions be received.

On February 19, 2021, the owner appealed the applications to LPAT due to non-decision. A pre-hearing date has not been scheduled. The purpose of this report is to make a recommendation to Planning and Development Committee on the applications and to seek direction with respect to the appeal.

## Comments

### 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 October 22, 2020. A community meeting was held by Ward 1 Councillor Stephen Dasko on December 10, 2020. Approximately 50 of people attended the meeting. Nine written submissions were received. Supporting studies were posted on the City's website at <http://www.mississauga.ca/portal/residents/development-applications>.

The public meeting was held on January 25, 2021. Eight 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 applicant is proposing an 8-15 storey apartment building with ground floor commercial space. An Official Plan Amendment is required to change the designation from Mixed Use to Residential High Density. A Zoning By-law amendment is also required to change the zoning for the site from **C4** (Mainstreet Commercial) to **RA5-Exception** (Apartments).

The property is located on the northeast corner of Lakeshore Road East (Arterial) and Dixie Road (Regional Major Collector road) within the Lakeview Neighbourhood Character Area. The site currently contains a commercial plaza known as the "Dixielake Plaza" which has vehicular access to Lakeshore Road East, Dixie Road and Cherriebell Road. The property is immediately adjacent to low density detached dwellings, which can be characterized mostly as one storey and two storey dwellings.

The subject property is located within approximately 800 m (2,624.7 ft.) of the Long Branch GO Station, which is situated in the jurisdiction of the City of Toronto. Also, the subject property is located directly adjacent to the proposed Dixie-Lakeshore BRT stop.

The Province identifies through its *Provincial Policy Statement* matters that are of provincial interest, which require the development of efficient land use patterns and sustainability in urban areas that already exist. The Province has also set out the *Growth Plan for the Greater Golden Horseshoe*, which is designed to promote economic growth, increase housing supply and build communities that are affordable and safe, among other items. The Growth Plan requires municipalities to manage growth within already existing built up areas to take advantage of existing services to achieve this mandate. In order to meet required housing supply projections, the *Planning Act* instructs municipalities to make planning decisions that are consistent with the *Provincial Policy Statement* and the Growth Plan. The Growth Plan requires municipalities to achieve transit oriented development by mandating the delineation of Major Transit Station Areas (MTSA) and the creation of associated policies within their respective Official Plans. The property is on the edge of the 800 m (2,624.7 ft.) walkshed of the easterly Long Branch GO Station MTSA that is located in the adjacent municipal jurisdiction of the City of Toronto. The City of Toronto has not yet delineated the Long Branch GO Station MTSA nor created associated policies within their Official Plan.

As a response to the Lakeshore Connecting Communities Masterplan, the Region of Peel has included the future Dixie-Lakeshore BRT Stop as a draft MTSA. While the Region of Peel has submitted this draft work to the Province for feedback, without Regional Council and City

Council approval, the Region of Peel Official Plan and Mississauga Official Plan currently do not have the proposed BRT stop acknowledged as an MTSA.

Notwithstanding the above, the Growth Plan acknowledges the municipality's responsibility in ensuring that redevelopment, while it is to achieve efficient and compact form next to transit, that it is to be executed in a manner that provides appropriate transition to existing context. Mississauga Official Plan (MOP) and the Lakeview Local Area Plan contain policies that emulates this directive.



Aerial image of subject property and applicant's rendering of proposal

The subject property is located within a Neighbourhood Character Area, which is an area that is not to be the focus for intensification. However, MOP considers redevelopment where it is along corridors, utilizing existing commercial sites and is designed to be sensitive to the surrounding context. The Lakeview Local Area Plan (LAP), including the Lakeview Built Form Guidelines, build upon this mandate by setting specific policies requiring transition to existing low density development and stipulating the retention of the Lakeshore Corridor's main street character. The Lakeview LAP Built Form Guidelines provides for criteria in evaluating development proposals. The details of this analysis are found in Appendix 2.

This development proposal fails to meet the relevant policies and criteria in Mississauga Official Plan, Lakeview Local Area Plan and the Built Form Guidelines. The height of the building is larger than the width of the Lakeshore Road right-of-way and by definition in MOP, the proposal is considered to be a Tall Building. Tall Buildings are generally to be located in Intensification areas. Furthermore, evaluating this built form against applicable policy and guidelines, the building demonstrates an inappropriate transition to the adjacent low density homes by imposing unacceptable massing and shadowing impacts, while also creating an undesirable condition along the Lakeshore Road corridor that does not maintain the main street character intended through local policy.

Overall, the excessively tall apartment building undermines the planned function of the Lakeview Local Area Plan and is not appropriate for the subject property.

## 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 does not provide for an appropriate built form that respects and relates to the immediate vicinity. The proposed Official Plan Amendment and Rezoning applications are not acceptable from a planning standpoint and should not be approved.

## Attachments

Appendix 1: Information Report

Appendix 2: Detailed Planning Analysis



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

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