

City of Mississauga
Corporate Report



<p>Date: December 23, 2022</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 21-16 W1</p>
	<p>Meeting date: January 16, 2023</p>

Subject

RECOMMENDATION REPORT (WARD 1)

Official Plan Amendment and Rezoning applications to permit a 17 storey rental apartment building containing 148 residential units and ground floor commercial space 170 Lakeshore Road East, northwest corner of Lakeshore Road East and Elmwood Avenue North

Owner: Lightpoint (170 Lakeshore Road East Port Credit) Inc.

File: OZ/OPA 21-16 W1

Recommendation

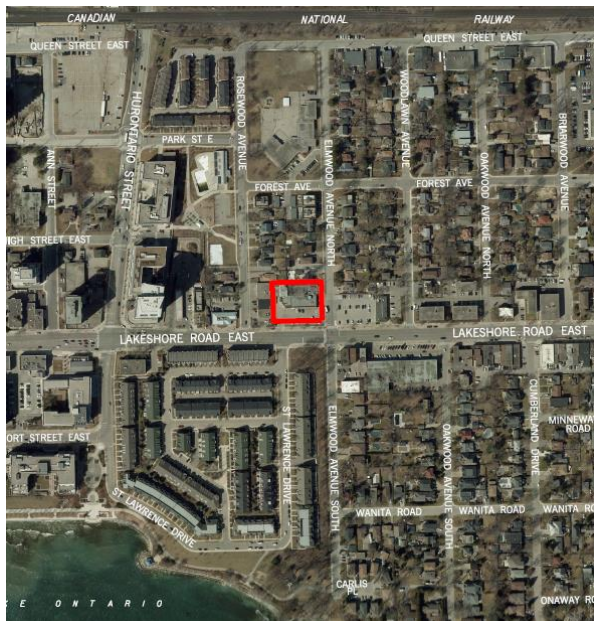
1. That City Council direct Legal Services, representatives from the appropriate City Departments and any necessary consultants to attend the Ontario Land Tribunal hearing on the subject applications under File OZ/OPA 21-16 W1, Lightpoint (170 Lakeshore Road East Port Credit) Inc., 170 Lakeshore Road East to permit a 17 storey rental apartment building containing 148 residential units and ground floor commercial space in support of the recommendations outlined in the report dated December 23, 2022 from the Commissioner of Planning and Building, that concludes that the proposed development, as presented by these official plan amendment and rezoning applications is not acceptable in its current form 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 Ontario Land Tribunal hearing process, however if there is a potential for settlement then a report shall be brought back to Council by Legal Services.

Background

A public meeting was held by the Planning and Development Committee on June 6, 2022, at which time an Information Report (Item 5.3 [Planning and Development Committee - June 06, 2022 \(escribemeetings.com\)](#)) was received for information. Recommendation PDC-0056-2022 was then adopted by Council on June 22, 2022.

1. That the report dated May 13, 2022, from the Commissioner of Planning and Building regarding the applications by Lightpoint (170 Lakeshore Road East Port Credit) Inc. to permit a 17 storey rental apartment building containing 148 residential units and ground floor commercial space, under File OZ/OPA 21-16 W1, 170 Lakeshore Road East, be received for information.
2. That 8 oral submissions be received.

On October 6, 2022, the owner appealed the applications to the Ontario Land Tribunal (OLT) due to non-decision by City Council and a pre-hearing date has not been scheduled. The purpose of this report is to make a recommendation to Planning and Development Committee (PDC) on the application and to seek direction with respect to the appeal.



Aerial Image of 170 Lakeshore Road East



Applicant's rendering of the proposed building

The applicant describes the proposal as 15 storeys, however, the mezzanine space and roof top enclosed amenity space were excluded from their calculation of the number of storeys. According to the City's zoning by-law each of these uses is considered a floor resulting in two additional storeys to the proposal (i.e. 17 storey building), although the overall height as measured in metres has not changed at 56.6 m (186 ft.). In addition, the proposed development consists of 147 residential units plus one visitor guest suite for a total of 148 units.

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 December 23, 2021. A community meeting was held by Ward1 Councillor, Stephen Dasko, on February 2, 2022. Approximately 90 people attended the meeting and over 35 emails and letters 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 June 6, 2022. 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 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.

While the proposed development supports the general direction in Provincial documents to support intensification, the proposal as currently configured is not considered consistent with the PPS and does not conform to the Growth Plan as it exceeds what is considered appropriate development for the level of intensification that has been planned for this area of the City.

The site's proximity to higher order transit is supportive of some intensification on the site; however, new development needs to recognize that the site is located within the Port Credit Neighbourhood Character Area, which is not to be the focus for intensification. The proposed building height of 17 storeys represents a significant departure from the existing and planned height context for the area. The proposed building is considered a "tall building" and is located in an area not necessarily intended for this building type. The proposal is not compatible with surrounding uses given an inappropriate transition, negative shadow impacts and lack of appropriate landscaped buffers.

In addition, the City is not satisfied that the application has sufficiently demonstrated that the proposed services (e.g. waste collection, stormwater management, fire hydrant flow, roads) can accommodate the proposed development and has requested additional information. As well, there are a number of technical studies and issues that have not been properly addressed (e.g. functional servicing report, traffic impact study, quantitative wind tunnel study, streetscape feasibility study, zoning regulations for parking).

A detailed Planning Analysis is found in Appendix 2.

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.

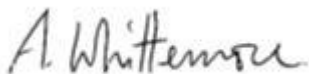
Conclusion

The proposed development, as presented by these official plan amendment and rezoning applications is not acceptable in its current form and should not be approved.

Attachments

Appendix 1: Information Report

Appendix 2: Detailed Planning Analysis



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

Prepared by: Paul Stewart, Development Planner