

City of Mississauga
Corporate Report



<p>Date: February 10, 2023</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 files: OZ/OPA 22-10 W1 & T-M 22-02 W1</p>
	<p>Meeting date: March 6, 2023</p>

Subject

PUBLIC MEETING RECOMMENDATION REPORT (WARD 1)

Official Plan Amendment and Rezoning application to permit 40 and 42 storey condominium apartment buildings containing 1,139 units and ground and second floor commercial space

88 Park Street East, formerly 0 Park Street East (Port Credit GO Station Parking Lot), northeast corner of Park Street East and Ann Street

Owner: Edenshaw Queen Developments Limited

Files: OZ/OPA 22-10 W1 & T-M 22-02 W1

Pre-Bill 109

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 Files OZ/OPA 22-10 W1 & T-M 22-02 W1, 88 Park Street East to permit 40 and 42 storey condominium apartment buildings containing 1,139 units and ground and second floor commercial space in support of the recommendations outlined in the report dated February 10, 2023, from the Commissioner of Planning and Building, that concludes that the proposed official plan amendment, rezoning and draft plan of subdivision 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 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.

Executive Summary

- A Public Meeting was held on July 5, 2022, where staff presented an Information Report to Planning and Development Committee with a recommendation that Committee receive the report. Committee voted to defer receipt of the Information Report in order for the applicant to make overall changes, including height, to the proposal and requested that the matter be brought back for an additional Public Meeting.
- The applications were subsequently appealed by the applicant on November 14, 2022, to the Ontario Land Tribunal (OLT) for non-decision. A pre-hearing conference or hearing date has not yet been scheduled.
- The applicant has not made any revisions to the original proposal.
- It has been concluded that the proposed development is not supportable from a planning standpoint related to the proposed maximum of 40 and 42 storeys.
- Staff have determined an alternative building height is supportable.
- Staff require direction from Council to attend any OLT proceedings which may take place in connection with the applications and in support of the recommendations outlined in this report.

Background

A public meeting was held by the Planning and Development Committee on July 5, 2022, at which time an Information Report was presented by staff. At the meeting, Planning and Development Committee deferred receipt of the information report and indicated that the applicant should consider revising their application to significantly reduce the proposed building heights and for staff to bring back an additional Information Report reflecting the proposed changes.

Link to the Information Report is below:

<https://pub-mississauga.escribemeetings.com/FileStream.ashx?DocumentId=29897>

PDC-0065-2022

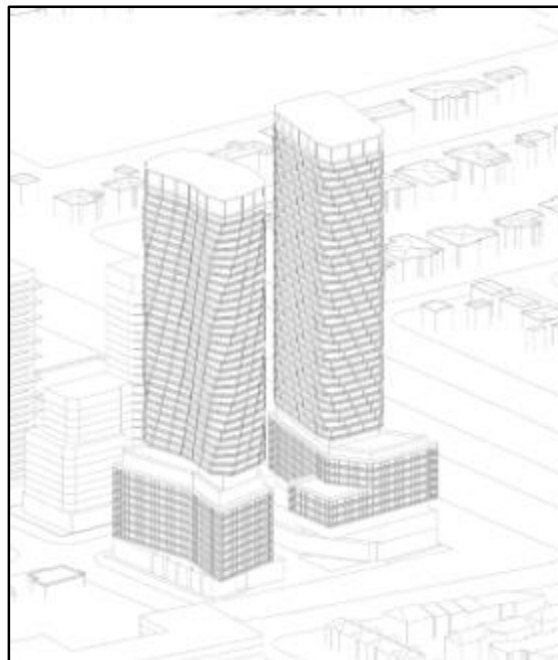
1. That the report dated June 10, 2022, from the Commissioner of Planning and Building regarding the applications by Edenshaw Queen Developments Limited to permit a 40 and 42 story condominium apartment buildings containing 1,139 units and ground and second floor commercial space, under Files OZ/OPA 22-10 W1 and T-M 22-02 W1, 88 Park Street East, formerly 0 Park Street East, be deferred.
2. That five (5) oral submissions be received.

At the above noted public meeting, the applicant's consultants suggested that the property owner would file a resubmission that included changes to the development proposal. Staff can

confirm that no resubmissions or revisions have been made to the applications. On November 14, 2022, the owner appealed the applications to OLT due to non-decision by Council. 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 application and to seek direction with respect to the appeal.



Aerial Image



Massing Model of Proposal

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 April 11, 2022. A community meeting was held by Ward 1 Councillor Stephen Dasko on May 24, 2022. 50 people attended the meeting. Supporting studies were posted on the City's website at <http://www.mississauga.ca/portal/residents/development-applications>.

The public meeting was held on July 5, 2022. 5 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 (PPS)* 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.

In August 2022, the City adopted OPAs 143 and 144, which introduced MTSA policies relating to land use, urban design, and maximum heights. At the time of writing this report, the respective OPAs were scheduled to be considered at the Region of Peel Council session on February 23, 2023.

Redevelopment of the subject site in a high density manner supports the general direction in Provincial documents to support intensification adjacent to transit infrastructure. However, the proposed maximum heights of 40 and 42 storeys is not considered to be consistent with the PPS and does not conform to the Growth Plan as it represents buildings that are significantly taller than what is permitted and does not respect and relate to the existing and planned context of the Port Credit Community Node and fails to maintain appropriate development standards.

The unique attributes of the property supports intensification on the site, as it is the interface between the Port Credit GO Station and the Port Credit Hurontario LRT Station, two higher order transit stations. However, any new development within the Port Credit Community Node that proposes heights greater than what is permitted in the Port Credit Local Area Plan height schedule is required to meet specific criteria. Specifically, the overall intent and goals of the Port Credit Local Area Plan are to be maintained and new development is to respect and relate to the existing and planned context. The proposed maximum building heights of 40 and 42 storeys simply represents a height that are too tall in comparison to the City's urban hierarchy expressed by the policies of the Mississauga Official Plan. Approval of building heights as proposed, would undermine the intent of the height schedule within the Local Area Plan, which maintains an overall prevailing building height that respects the City's urban hierarchy while ensuring that new development is built at a scale appropriate for the Community Node. The proposed height maximum does not meet the required criteria that is to be met when assessing the appropriateness of additional building height in Port Credit.

That being said, there is some merit in the applicant's proposal to exceed the heights permitted by the height schedule of the Port Credit Local Area Plan due to the site's unique locational attributes. Staff are of the opinion that a maximum height of 29 storeys for the site would allow

for additional housing to be constructed within close proximity to higher order transit, while maintaining the underlying principles of Mississauga Official Plan. This idea is further explored in greater depth in Section 7 of Appendix 2 of this report.

There are other issues that have been identified by staff with the current development proposal. Insufficient retail commercial and office space has been proposed, the inclusion of ground floor residential units and the absence of any proposals to address the City's housing strategy remain outstanding issues, amongst others. Appendices 1 and 2 also identify several outstanding requirements for additional information related to the technical review of the current development proposal.

A detailed planning analysis is found in Appendix 2 of this report.

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.

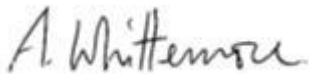
Conclusion

The proposed development, as presented by the subject applications, are 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: David Ferro, MCIP, RPP, Development Planner