

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 &amp; Building</p>	<p>Originator's file: OZ 21/002 W4</p>
	<p>Meeting date: March 6, 2023</p>

## Subject

### **PUBLIC MEETING RECOMMENDATION REPORT (WARD 7)**

**Official Plan Amendment and Rezoning applications to permit three apartments with heights of 34, 32 and 28 storeys and ground floor commercial uses**

**30 Eglinton Avenue West, southwest corner of Eglinton Avenue West and Hurontario Street**

**Owner: 30 Eglinton Avenue West Limited (c/o Crown Property)**

**File: OZ 21/002 W4**

**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 File OZ 21/002 W4, 30 Eglinton Avenue West Limited (c/o Crown Property), 30 Eglinton Avenue West to permit three apartments with heights of 34, 32 and 28 storeys and ground floor commercial uses, 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 and rezoning are not acceptable in their 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.

## Executive Summary

- The applications are to amend the policies of the official plan and change the zoning by-law to permit three apartments with heights of 34, 32 and 28 storeys and ground floor commercial uses
- The official plan amendment and rezoning applications have been appealed to Ontario Land Tribunal (OLT) by the applicant for non-decision. A pre-hearing conference or hearing date has been scheduled for March 22, 2023
- 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
- It has been concluded that the proposed development is not supportable from a planning perspective
- An approval by OLT should be subject to an "H" holding provision to address outstanding technical requirements

## Background

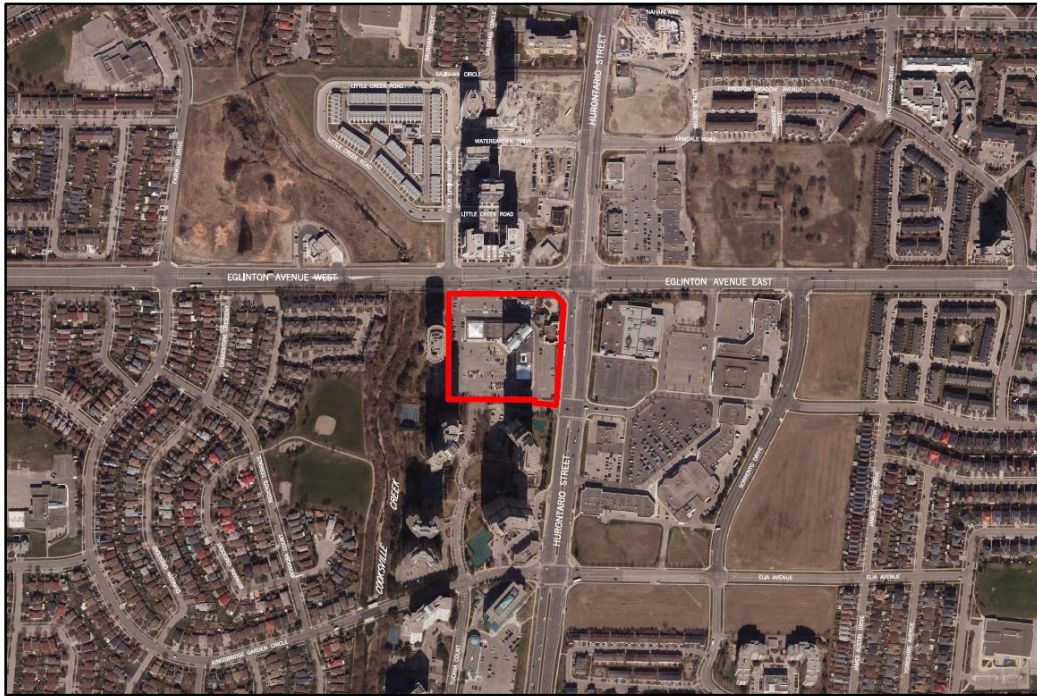
A public meeting was held by the Planning and Development Committee on November 15, 2021, at which time an Information Report (<https://pub-mississauga.escribemeetings.com/FileStream.ashx?DocumentId=16709>) was received for information.

Recommendation PDC-0065-2021 was then adopted by Council on November 24, 2021.

1. That the report dated October 22, 2021, from the Commissioner of Planning and Building regarding the applications by 30 Eglinton Avenue West Limited (c/o Crown Property) to permit two 45 storey and one 37 storey apartment buildings with ground floor commercial uses, under File OZ 21/002 W4, 30 Eglinton Avenue West, be received for information.

On September 12, 2023, the owner appealed the applications to OLT due to non-decision and a pre-hearing date has been scheduled for March 22, 2023. 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.

There were some technical matters that needed to be resolved before the Planning and Building Department could make a recommendation on the applications. Given the amount of time since the public meeting, full notification was provided.



Aerial Image of 30 Eglinton Avenue West



Applicant's Rendering of 30 Eglinton Avenue West

## Comments

### REVISED DEVELOPMENT PROPOSAL

Since the public meeting, the applicant has made some minor modifications to the proposed concept plan including:

- The proposed buildings have been reduced in height from 45, 45 and 37 storeys, to 34, 32 and 28 storeys
- The number dwelling units has been reduced from 1,577 to 1,332
- The total floor space index of the buildings has been reduced from 4.74 to 3.96
- The number of parking spaces to be provided has been reduced from 1,454 to 1,199
- The total non-residential gross floor area proposed has been decreased from 1,979 m<sup>2</sup> (21,302 ft<sup>2</sup>) to 1,945 m<sup>2</sup> (20,956 ft<sup>2</sup>)
- The amenity area has been increased from 5.7 m<sup>2</sup> (61.4 ft<sup>2</sup>) to 7.1 m<sup>2</sup> (76.4ft<sup>2</sup>) per unit.

### 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 21, 2021. A community meeting was held by Ward 4 Councillor, John Kovac, on December 15, 2020. 148 of people attended the meeting. 115 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 November 15, 2021. 4 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.

The applications seek to redevelop the site for tall buildings which supports general intensification policies and transit investment. As a result, the applications are consistent with the *Provincial Policy Statement* and conform to the *Growth Plan for the Greater Golden Horseshoe* and the Region of Peel Official Plan. However, through the submission material, the applicant has not justified how the current proposal conforms to the MOP policies relating to height, sun shadow impact, scale and transition.

Additionally, there are a number of technical studies and issues that have not yet been adequately addressed (e.g. Traffic Impact Study, Sun Shadow Study).

A detailed analysis is found in Appendix 2.

## Strategic Plan

The applications are consistent with the Connect pillar of the Strategic Plan by contributing a choice of housing type to residents that supports the principle of building complete communities to accommodate growth.

## 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

Staff have reviewed the Planning Justification Report and other technical information submitted with the applications and concluded that the development, as proposed, is not acceptable from a planning standpoint and should not be approved.

Should these applications be approved by OLT, staff will recommend that an "H" holding provision be applied to the lands to ensure that all technical information be provided and that appropriate agreements to be completed by the applicant. Should the required justification and technical information be received and found acceptable prior to the OLT hearing, staff will bring a supplementary recommendation report to Council in order to receive direction on how to proceed with respect to the OLT hearing.


Further explanation is provided in Appendix 2 of this report.

## 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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