

City of Mississauga  
**Corporate Report**



<p>Date: May 15, 2024</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: LA.07-CIT</p>
	<p>Meeting date: June 3, 2024</p>

## Subject

### RECOMMENDATION REPORT (ALL WARDS)

Current Development Applications in Major Transit Station Areas

## Recommendation

1. That development applications deemed complete and/or appealed to the Ontario Land Tribunal on or before April 10, 2024 for lands within Protected Major Transit Station Areas, identified in the report titled "Current Development Applications in Major Transit Station Areas" dated May 15, 2024, from the Commissioner of Planning and Building, continue to be processed as a permitted request for amendment(s).
2. That staff are authorized to prepare amendments to the Protected Major Transit Station Area policies to implement Ontario Land Tribunal decisions that approve, or have approved, development applications for lands within a Protected Major Transit Station Areas, identified in the report titled "Current Development Applications in Major Transit Station Areas" dated May 15, 2024, from the Commissioner of Planning and Building.

## Background

On [August 10<sup>th</sup>, 2022, City Council adopted Mississauga Official Plan Amendments \(MOPAs\) 142, 144 and 146 through By-Law 0215-2022](#). These MOPAs include policies and schedules related to identified Protected Major Transit Station Areas (PMTSAs) within the City of Mississauga and required Region of Peel approval in accordance with the *Planning Act*. The Region of Peel approved the MOPAs on April 11<sup>th</sup>, 2024.

This report clarifies the process for active development applications within MTSAs that were submitted and deemed complete on or before April 10<sup>th</sup>, 2024, and for applications that are subject to an Ontario Land Tribunal (OLT) appeal prior to the approval of the MTSA-related

MOPAs by the Region. This process addresses comments received from landowners and other stakeholders seeking direction on site specific development applications already under review that may be impacted by the new MTSA policies. A clear and consistent approach for these applications provides continued process efficiencies that supports the City's goal of facilitating housing development, availability, and delivery.

## Comments

The *Planning Act* has unique policies for the consideration of development applications in MTSA's. Under the current legislation, a Council resolution is required to permit a request to amend Official Plan PMTSA policies related to minimum densities and authorized uses of land, buildings or structures. A Council resolution may be made for a single development application, or Council can pass a resolution to permit requests for amendments for a class of uses or buildings. This requirement would not apply to Zoning By-law Amendment applications.

Bill 185 "*Cutting Red Tape to Build More Homes Act*" (Bill 185) proposes several amendments to land use planning legislation. Staff prepared a [report to Council on the new legislation with comments on the proposed changes on May 1, 2024](#). Assuming the current Bill becomes law, a Council resolution would no longer be required for requests to amend MTSA policies with respect to authorized uses of land for lower-tier municipalities that have sole planning responsibilities. The recommendations of this report are in keeping with the intent of the proposed changes in Bill 185 by allowing for the current requests for amendments.

Between the City Council adoption of the policies on August 10<sup>th</sup>, 2022, and the eventual approval by the Region of Peel on April 11<sup>th</sup>, 2024, a number of development applications were submitted and deemed complete for lands within MTSA's. However, there are no transitional policies in the *Planning Act* that provide direction for dealing with these active amendment requests and for those subject to an OLT appeal.

To provide clarity on the processing of amendment requests within PMTSA's, and applications under appeal, staff recommend two classes of applications be permitted as requests for amendment(s) for lands within Protected Major Transit Station Areas.

### 1. Development Applications Subject to an OLT Appeal

There are currently 11 development applications for sites within MTSA's, that are subject to an appeal filed with the OLT. As of the date of the Region of Peel's approval of MOPAs 142, 144, and 146, they include the properties listed below.

ITEM	ADDRESS	CASE/FILE #	MTSA
1	3672 Kariya Drive and 134-152 Burnhamthorpe Rd. W.	OLT-23-000406	Main
2	49 South Service Road	OLT-23-000390	Mineola

3	70 Park St.	OLT-23-000684	Port Credit GO
4	1000 and 1024 Dundas Street East	OLT-23-000075	Tomken
5	189 Dundas St	OLT-22-004125	Confederation
6	65-71 Agnes Street	OLT-23-000761	Cooksville GO
7	4615 Hurontario Street, 25, 35, 55, 105 and 110 Elia Avenue and 136 Eglinton Avenue East	OLT-22-004828	Eglinton
8	60 Dundas Street East	OLT-23-000393	Dundas
9	25 and 33 Hillcrest Avenue, 3146, 3154 and 3168 Hurontario Street	OLT-23-000484	Cooksville GO
10	1580-1650 Dundas Street East	OLT-23-000281	Wharton
11	3575 Kaneff Crescent	OLT-23-000836	Fairview

These appeals will continue to be processed accordingly. If the OLT approves the development application, the final instruments submitted to the OLT for approval will include the related amendments to the MTSA policies.

## 2. Development Applications Deemed Complete (on or before April 10<sup>th</sup>, 2024)

Currently, there are approximately 12 development applications under review within delineated PMTSAs. The applications noted in the table below were deemed complete prior to the Region of Peel's approval of the City's MTSA policies through MOPAs 142, 144, and 146 on April 11<sup>th</sup>, 2024.

ITEM	ADDRESS	File #	MTSA
1	805 Dundas Street East	OZ/OPA 23 1	Cawthra
2	2077, 2087, 2097 and 2105 Royal Windsor Dr	OZ/OPA 22 31	Clarkson GO
3	91,93 & 99 Lakeshore Rd E and 42 Port St and 0 Port St E	OZ/OPA 22 30	Port Credit GO
4	3115 Hurontario Street	OZ/OPA 22 24	Dundas
5	1225 Dundas Street East	OZ/OPA 22 20	Dixie GO
6	1000 Dundas Street East and 1024 Dundas Street East	OZ/OPA 22 18	Tomken
7	1407 Lakeshore Road East	OZ/OPA 22 13	Dixie (Lakeshore)
8	1005 Ogden Ave	OZ/OPA 22 12	Lakeshore Promenade
9	3085 Hurontario Street	OZ/OPA 21 11	Dundas
10	3016, 3020, 3026 & 3032 Kirwin Avenue and 3031 Little John Lane	OZ/OPA 21 5	Dundas
11	6333 Hurontario Street	OZ/OPA 21 1	Courtney Park
12	99 Rathburn Road West	OPA 22 29	City Centre

The planning merit of each application will continue to be reviewed based on the applicable policy framework at the time of submission with regard given to the approved MTSA policies. If amendments to the new MTSA policies become necessary due to an approval or an OLT decision, the Mississauga Official Plan will be amended accordingly.

### 3. Development Applications with Recent OLT Approvals

Prior to Peel Regional Council's consideration of the MOPAs, staff submitted a memo to the Region entitled "Modifications to the City-Wide Major Transit Station Area OPA 144", dated January 16<sup>th</sup>, 2024. This memo identified required revisions and sites with recent development approvals. Following the submission of this memo, an OLT decision was issued for the development application located at 3420 and 3442 Hurontario Street (OLT-21-001693). This approval was not reflected in the Regionally approved MOPA mapping.

Additionally, a recent OLT decision for lands within the Corporate Gateway area was not fully reflected (Case No. PL200251).

Where the OLT has already issued a final decision, such as those noted above, staff will bring forward the necessary housekeeping amendments to ensure the Official Plan reflects the OLT permissions previously granted for the property.

## Financial Impact

There are no financial impacts resulting from the recommendations contained in this report.

## Conclusion

In response to comments received from landowners and development proponents, this report clarifies the process to address current development applications subject to an OLT appeal, and those deemed complete on or before April 10<sup>th</sup>, requesting amendments to MTSA policies. Staff are recommending that two classes of applications be permitted as requests for amendment(s) for lands within Protected Major Transit Station Areas. Staff's objective is to improve process efficiencies that support a clear and consistent approach for applicants with ongoing applications or those under appeal. This will support the City's goal of facilitating housing development, availability, and delivery.



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

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