

City of Mississauga
Corporate Report



<p>Date: October 9, 2024</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 17/007 W3</p>
	<p>Meeting date: October 28, 2024</p>

Subject

PUBLIC MEETING RECOMMENDATION REPORT (WARD 3)

Rezoning application to permit a two storey commercial building

1094 and 1108 Eglinton Avenue East, south of Eglinton Avenue East, east of Tomken Road

Owner: 2094404 Ontario Inc.

File: OZ 17/007 W3

Recommendation

1. That City Council amend Zoning By-law 0225-2007 by modifying the **C3-64** (General Commercial) exception zone to apply to both 1094 and 1108 Eglinton Avenue East, in accordance with the provisions contained in the staff report dated October 9, 2024 from the Commissioner of Planning and Building.
2. That City Council direct the applicant to satisfy all requirements of the City and any other external agency concerned with the development.
3. That City Council's approval of the rezoning application be considered null and void, and a new development application be required unless a zoning by-law is passed within 18 months of the Council decision.

Executive Summary

- A rezoning application was submitted to permit a two storey commercial building that will consist of a motor vehicle sales facility at 1094 and 1108 Eglinton Avenue East.
- The applicant has made several revisions to the proposal to address issues raised at the Public Meeting and by staff, including:

- Changing the building layout from two, one storey buildings to one, two storey building
 - Modifying the site layout to improve pedestrian and vehicular circulation on site
 - Worked with City staff and the Toronto Region Conservation Authority (TRCA) to delineate the floodplain limits and an adequate buffer between the proposed development and the natural heritage system and hazard lands associated with Little Etobicoke Creek
 - Protecting for a maintenance access to the abutting Greenlands and a private access to the neighbouring vacant lot.
- Staff are satisfied with the changes to the proposal and find them to be acceptable from a planning standpoint and recommend that the application be approved.

Background

A public meeting was held by the Planning and Development Committee on June 24, 2019, at which time an Information Report (https://www7.mississauga.ca/documents/committees/pdc/2019/2019_06_24_PDC_Agenda.pdf#page=133) was received for information. Recommendation PDC-0053-2019 was then adopted by Council on July 3, 2019.

1. That the report dated May 31, 2019, from the Commissioner of Planning and Building regarding the application by Ali Razaqat to permit 2 one-storey commercial buildings, under File OZ 17/007 W3, 1108 and 1094 Eglinton Avenue East, be received for information.
2. That one oral submission be received.

There were technical matters that needed to be resolved before the Planning and Building Department could make a recommendation on the application. Staff regularly corresponded with the applicant to ensure these matters were resolved. However, the timeline to resolve these outstanding issues significantly exceeded the typical timeline. This is due to several factors involving changes in the agent representing the applicant, changes to the proposed plans, and delays from the applicant in providing supporting documents and responses to staff comments in a timely matter. Given the amount of time since the public meeting, full notification was provided.



Aerial Image of 1094 and 1108 Eglinton Avenue East

Comments

REVISED DEVELOPMENT PROPOSAL

The applicant has made some modifications to the proposed concept plan including:

- Changing the building layout from two, one storey buildings to one, two storey building
- Adjusting the site layout to provide more cohesive pedestrian and vehicular circulation
- Worked with City staff and TRCA to delineate the floodplain limits and an adequate buffer between the proposed development and the natural heritage system associated with Little Etobicoke Creek
- Protecting for an unobstructed access easement to the Greenlands to the west of the site and to a vacant lot southwest of the subject lands

COMMUNITY ENGAGEMENT

Notice signs were placed on the subject lands advising of the zoning change. All property owners within 120 m (393 ft.) were notified of the rezoning application on July 11, 2017.

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 24, 2019. One member of the public made a deputation regarding the application. 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 Planning Statement* matters that are of provincial interest, which require the development of efficient land use patterns and sustainability in urban areas that already exist, identifying key growth targets and areas. Previously, proposals would be reviewed against the *Provincial Policy Statement* and the *Growth Plan for the Greater Golden Horseshoe*. However, the Ontario Legislature announced the new *Provincial Planning Statement* on August 20, 2024 as a consolidation of the two documents. In order to ensure the efficient and sustainable use of employment areas, the *Planning Act* instructs municipalities to make planning decisions that are consistent with the *Provincial Planning Statement*.

A detailed Planning Analysis is found in Appendix 2. The application is consistent with the *Provincial Planning Statement* and conforms to the Region of Peel Official Plan and Mississauga Official Plan. A Zoning By-law Amendment is required to modify Schedule C3-64 (General Commercial) of the Exception Zone and to change the zone of 1108 Eglinton Avenue East from **D** (Development) to **C3-64** (General Commercial) to permit the proposed development.

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

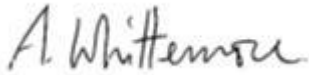
In summary, the proposed development contributes to the mix of uses within an employment area, establishes an efficient retail use with a built form that is compatible with the surrounding area. The proposed rezoning is acceptable from a planning standpoint and should be approved.

Should the applications be approved by Council, the implementing zoning by-law will be brought to a future Council meeting for approval.

Attachments

Appendix 1: Information Report

Appendix 2: Detailed Planning Analysis



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

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