

City of Mississauga

Corporate Report



<p>Date: October 16, 2020</p> <p>To: Chair and Members of Planning and Development Committee</p>	<p>Originator's files: OZ 18/016 W5 and T-M18005 W5</p>
<p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building</p>	<p>Meeting date: November 9, 2020</p>

Subject

PUBLIC MEETING RECOMMENDATION REPORT (WARD 5)

Official Plan amendment, rezoning and subdivision applications to permit six condominium apartment buildings with heights of 19, 24, 25, 35, 35 and 37 storeys which will contain 2,433 condominium apartment units and retail and office uses, 16 three storey condominium townhomes, public park, and public and condominium roads 91 and 131 Eglinton Avenue East and 5055 Hurontario Street, North side of Eglinton Avenue East, East of Hurontario Street

Owner: 91 Eglinton Limited Partnership (Liberty Development Corporation)

Files: OZ 18/016 W5 and T-M18005 W5

Recommendation

1. That the applications under File OZ 18/016 W5, 91 Eglinton Limited Partnership, 91 and 131 Eglinton Avenue East and 5055 Hurontario Street to amend Mississauga Official Plan (MOP) and to change the zoning as follows:
 - a. Amend Map 13-4 to delete the existing floor space index (FSI) range between 1.9 – 2.9;
 - b. Redesignate the subject lands east of Thornwood Drive from **Residential Medium Density** to **Residential High Density** to permit the proposed 25 storey apartment building at the southeast quadrant of the site;
 - c. Amend Schedule 10 Land Use Designations from **Residential High Density** and **Residential Medium Density** to **Public Open Space** to permit a public park in the northeast portion of the site;
 - d. Amend Schedules 1 Urban System, 1a Urban System – Green System, 4 Parks and Open Spaces by adding land to the Public and Private Open Spaces;
 - e. Delete the subject property from **Residential High Density – Special Site 2** of the Uptown Major Node Character Area and add **Residential High Density – Special Site 8** to the Uptown Major Node Character Area to permit a maximum

floor space index (FSI) of 5.6, a minimum of 1 300 m² (13,993 ft²) of retail commercial and office space, and three apartment buildings with heights of 35, 35 and 37 storeys;

- f. To change the zoning from **D** (Development) to **RA5-Exception** (Apartments) to permit a maximum of 2,500 condominium apartment units and 20 three storey condominium townhomes; to **RM6-13** (Townhouses on a CEC – Road) to permit the completion of the townhome project on abutting lands with 4 three storey common element condominium (CEC) townhomes and to **OS1** (Open Space – Community Park) to permit a public park

be approved subject to the conditions referenced in the staff report dated October 16, 2020 from the Commissioner of Planning and Building.

2. That the draft plan of subdivision under File T-M18005 W5, be approved subject to the conditions referenced in the staff report dated October 16, 2020 from the Commissioner of Planning and Building.
3. That the applicant agrees to satisfy all the requirements of the City and any other external agencies concerned with the development.
4. That the "H" holding symbol is to be removed from the **RA5-Exception** (Apartment) zoning applicable to the subject lands, by further amendment upon confirmation from applicable agencies and City Departments that matters, as outlined in the report dated October 16, 2020 from the Commissioner of Planning and Building, have been satisfactorily addressed.
5. Notwithstanding subsection 45.1.3 of the *Planning Act*, subsequent to Council approval of the development application, the applicant can apply for a minor variance application, provided that the height and FSI shall not increase.

Report Highlights

- The applications are to amend the policies of the official plan, change the zoning by-law and permit a plan of subdivision to allow six condominium apartment buildings with heights of 19, 24, 25, 35, 35 and 37 storeys which will contain 2,433 condominium apartment units and retail and office uses, 16 three storey condominium townhomes, public park, and public and condominium roads
- The applicant has made revisions to the proposal to address issues raised at the Public Meeting and by staff, including a reduction in building heights from 28, 33, 35, 40, 40, and 45 storeys
- Staff are satisfied with the changes to the proposal and find them to be acceptable from a planning standpoint, and recommend that the applications be approved.

Background

A public meeting was held by the Planning and Development Committee on March 4, 2019, at which time an Information Report:

https://www7.mississauga.ca/documents/committees/pdc/2019/2019_03_04_PDC_Agenda.pdf

was received for information. Recommendation PDC-0018 -2019 and PDC-0019-2019 were then adopted by Council on March 27, 2019.

PDC-0018-2019

1. That staff be directed to further process the application without the extension of Belbin Street as a public road connecting with Eglinton Avenue East.
2. That the applicant be required to convey public access easements over the private roadway and adjacent sidewalk, as agreed to by staff, Alectra and the applicant, as a condition of condominium registration, for future pedestrian and vehicular access over these lands at such time as the redevelopment of the plaza site takes place.

PDC-0019-2019

1. That the report dated January 29, 2019, from the Commissioner of Planning and Building regarding the applications by Liberty Development Corporation to permit six apartment buildings with 2,688 units and heights of 28, 33, 35, 40, 40 and 45 storeys, 14 three storey condominium townhomes, 4 three storey common element condominium townhomes, and a public park, under Files T-M18005 W5 and OZ 18/016 W5, 91 and 131 Eglinton Avenue East and 5055 Hurontario Street, be received for information.
2. That the two oral submissions be received.

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.

Comments

REVISED DEVELOPMENT PROPOSAL

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

- Reducing the proposed building heights from 28, 33, 35, 40, 40, and 45 to 19, 24, 25, 35, 35 and 37 storeys
- Decreasing the number of apartment units from 2,668 to 2,433
- Adding a minimum of 1 300 m² (13,993 ft.²) of required non-residential gross floor area
- Reconfiguring the site and increasing the amount of public park from 0.32 ha (0.8 ac.) to 0.46 ha (1.13 ac.) to address concerns regarding the shadow impact on the public park
- Reducing the proposed maximum floor space index (FSI) from 5.96 to 5.6
- Providing a commitment for an affordable housing contribution of either \$15 million, or 5% of total units proposed (up to 125 affordable ownership units) on site (mix of 1 and 2 bedroom unit types), or a partnership with a non-profit housing provider to deliver 5% of total units proposed (up to 125 affordable ownership or rental units), or that a combination of these contributions be made in a form and on terms satisfactory to the City.

COMMUNITY ENGAGEMENT

Notice signs were placed on the subject lands advising of the proposed official plan, zoning change and plan of subdivision. All property owners within 120 m (393 ft.) were notified of the applications on February 7, 2019. Twenty 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 March 4, 2019. Two 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.

No community meetings were held for the subject application.

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.

A detailed Planning Analysis is found in Appendix 2. The applications are consistent with the *Provincial Policy Statement* and conform to the *Growth Plan for the Greater Golden Horseshoe*, the Region of Peel Official Plan and Mississauga Official Plan.

An official plan amendment is required to permit six condominium apartment buildings with heights of 19, 24, 25, 35, 35 and 37 storeys which will contain a maximum of 2,500* condominium apartment units and retail and office uses, a maximum of 20* three storey condominium townhomes, public park, and public and condominium roads. Specifically, the amendment is needed to:

- redesignate the lands east of Thornwood Drive from **Residential Medium Density** to **Residential High Density**
- redesignate the lands from **Residential High Density** and **Residential Medium Density** to **Public Open Space** to permit a public park in the northeast portion of the site
- remove the subject property from **Residential High Density - Special Site 2** of the Uptown Major Node Character Area and to add **Residential High Density - Special Site 8** to the Uptown Major Node Character Area to

- permit three apartment buildings with heights of 35, 35 and 37 storeys
- require a minimum of 1 300 m² (13,993 ft²) of retail, commercial and office space
- to permit a maximum of FSI of 5.6

*The applicant's current proposal includes 2,433 apartment units and 16 three storey condominium townhomes; however, the proposed official plan amendment and rezoning allow for a maximum of 2,500 apartment units and 20 three storey townhomes to allow for flexibility and future market demand changes.

The subject property is located in the Uptown Major Node, which is an area of the City's urban structure that is intended to intensify while providing a mix of uses at a higher density. To ensure a better transition to neighbouring properties stepped podiums have been introduced along all property lines. In addition, a public park has been located along the north side of the subject property, which will provide for a better transition to adjacent properties and will serve as an additional amenity to surrounding residents. The location of the public park will also help to mitigate any unacceptable shadow impacts on the surrounding residential properties. Three storey townhomes are also proposed on the north portion of the subject property, as well as along the east property line, to transition to surrounding land uses, and in the case of the northern property line, complete the row of existing townhomes. The lands to the north of the site have received site plan approval and/or are occupied by three and three and a half storey townhomes. Semi-detached and detached homes are located to the east of the site.

There is a 20 storey apartment building at the northwest corner of Eglinton Avenue East and Forum Drive (220 Forum Drive), approximately 138 m (453 ft.) to the east of the site. Commercial plazas containing restaurants, banks, a grocery store (Oceans) and a variety of retail and service commercial uses are located to the west and south of the site (across Eglinton Avenue East). Vacant lands zoned for apartment buildings with maximum heights of 20 and 25 storeys are also located to the south of the subject property (across Eglinton Avenue East).

While the proposed 37 storey building is taller than the surrounding land uses, it is the same height as the existing apartment building at the southwest corner of Kingsbridge Garden Circle and Tucana Court (45 Kingsbridge Garden Circle), located approximately 364 m (1,194 ft.) southwest of the subject property. The proposed 37 storey apartment building has been appropriately placed at the southwest corner of the subject property, closest to the intersection of Hurontario Street and Eglinton Avenue East and public transit. Proposed building heights decrease to the north and east to achieve a more appropriate transition to existing and planned land uses.

UPTOWN NODE CAPACITY REVIEW SUMMARY

Given the number of active and preliminary development applications in the Uptown Major Node, a capacity review study was undertaken to determine the cumulative impact of this growth on the provision of infrastructure and services. Findings suggest the area is served by transportation options, and a range of goods and services. However, on-going review and improvements to mitigate impacts of increased development will likely benefit future residents.

Specifically, the study indicates that the Uptown Major Node currently has a parkland and playground deficiency, and there is an immediate need for a new Peel District School Board elementary school to serve the area. Moreover, if growth continues along its current trajectory, it

is likely that increased pressure will be placed on the Node's road network, libraries and community facilities.

On July 27, 2020, Council authorized staff (PDC 0027-2020 from Planning and Development Committee) to develop an Official Plan Amendment (OPA) that includes a Block and Road Plan to help address these matters, along with permission to consult the community and hold a public meeting. Staff are exploring ways that an OPA can work within a provincial framework to secure future parkland and playgrounds, as well as to ensure this parkland is provided as part of an interconnected system of greenspace. Where a park cannot be secured, pocket parks and POPS (Privately Owned Publicly Accessible Spaces) could be considered.

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

In summary, the proposed development has been redesigned to be more sensitive to the existing and planned character of the neighbourhood and provides an appropriate transition to adjacent commercial and residential uses. The proposed official plan amendment, rezoning and draft plan of subdivision are acceptable from a planning standpoint and should be approved.

Prior to the passage of the implementing official plan amendment and zoning by-law by Council, the applicant will be required to execute a Section 37 agreement to the satisfaction of the City.

Attachments

- Appendix 1: Information Report
- Appendix 2: Detailed Planning Analysis
- Appendix 3: City Conditions of Approval



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

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