

## Recommendation Report Detailed Planning Analysis

**Owner: 2683340 Ontario Inc.**

**255 Dundas Street West**

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## 1. Community Comments

Comments from the public were generally directed towards the appropriateness of the built form in this location, loss of view, loss of privacy due to overlook, shadow impacts, noise, spillover parking on Parkerhill Road, loss of the commercial plaza and anticipated disruption/nuisance from construction. Below is a summary and response to the specific comments.

### Comment

Intensification and high density should be directed to the downtown area near Square One.

### Response

The proposed height and density was evaluated against the intensification policies in Mississauga Official Plan (MOP) and found to be appropriate. The building's height is focused on the Dundas Street West frontage and steps down toward the lower density neighbourhood to the north. The proposed development intensifies an underutilized parcel within the Cooksville Neighbourhood Character Area (West) in accordance with the Residential High Density designation of MOP. The subject site is located along an Intensification Corridor and Higher Order Transit Corridor and the proposed compact development is transit supportive.

### Comment

Concern with the loss of the existing view of the creek and privacy due to overlook and shadow impacts.

### Response

The building's height is focused on the Dundas Street West frontage and steps down toward the lower density neighbourhood to the north, reducing the overlook and shadowing impacts on adjacent lands. See the revised site plan and elevations under Section 8 of this Appendix.

### Comment

There will be increased traffic and on-street parking on the street that will lead to decreased safety, especially for children who may be at the nearby park.

### Response

A Traffic Impact Study (TIS) submission provided by LEA Consulting Ltd. dated March 2021 and revised in March 2022 in support of the proposed development, was deemed satisfactory by the City's Transportation and Works Department. It has been determined that the study area intersections and proposed vehicular access are expected to operate at acceptable levels of service with minimal impact to existing traffic conditions.

A parking justification was provided as part of the TIS by LEA Consulting Ltd. dated March, 2021. The Transportation and Works Department reviewed and commented on the report. The proposed parking rates were found satisfactory based on the anticipated parking utilization rates on the site. The proposed development is located on Dundas Street West, which is identified as an intensification corridor and is planned for higher order transit. If on-street parking becomes an issue, the City can consider imposing parking restrictions.

**Comment**

Concern with anticipated disruption and nuisance from construction.

**Response**

The City requires the submission of a Construction Management Plan that will require the owner to ensure minimal disturbance to the surrounding neighbourhood. Should there be cause for complaint, residents can call 311 and City staff will respond accordingly.

**Comment**

Loss of commercial plaza.

**Response**

Although it is not complete replacement, some commercial uses are proposed on the ground floor of the proposed building.

## **2. Updated Agency and City Department Comments**

### **UPDATED AGENCY AND CITY DEPARTMENT COMMENTS**

The applications were circulated to all City departments and commenting agencies on April 14, 2021. A subsequent submission were circulated on April 1, 2022. A summary of the comments are contained in the Information Report attached as Appendix 1. Below are updated comments.

### **Transportation and Works**

Technical reports and drawings have been submitted to ensure that engineering matters related to noise, grading, servicing, stormwater management, traffic and environmental compliance can be satisfactorily addressed to confirm the feasibility of the project in accordance with City requirements.

### **Storm Drainage**

The Functional Servicing Report (FSR) and Stormwater Management Report indicate that an increase in stormwater runoff will occur with the redevelopment of the site. In order to mitigate the change in impervious area from the proposed development and/or impact to the receiving municipal drainage system, on-site stormwater management controls for the post development discharge is required.

Additional technical information is required on the stormwater servicing concept to determine how the 5 mm (0.2 in.) retention requirement will be met. Water reuse on site is being pursued and a green roof is proposed as a low impact development design feature. Additional information is required to demonstrate a satisfactory groundwater management strategy through the submission of a Hydrogeological Report.

### **Environmental Compliance**

The Phase One Environmental Site Assessment (ESA) report, dated April 28, 2020, prepared by Soil Engineers Ltd. indicates that further investigation is required. The requirements regarding a Phase Two ESA, a Temporary Discharge to Storm

Sewer Commitment Letter and written confirmation (a plan or proof of decommissioning) for the existing monitoring wells remain outstanding. In addition, a certification letter by a Qualified Person will be required, stating that the land to be dedicated to the City is environmentally suitable for the proposed use.

As the land use is changing from a less sensitive to a more sensitive use, a Record of Site Condition is required to be filed in accordance with O. Reg. 153/04 as a condition of lifting the “H” holding provision. A copy of the RSC and all supporting documentation must be provided to the City once it has been acknowledged by the Ontario Ministry of the Environment, Conservation and Parks.

### **Traffic**

Two (2) traffic impact study (TIS) submissions were provided by LEA Consulting Ltd. in support of the proposed development. Each submission was reviewed and audited by the City's Transportation and Works Department. The second submission, dated March 2022, complied with the City's TIS guidelines and is deemed satisfactory. The study concluded that the proposed development is anticipated to generate 200 new two-way auto trips (78 inbound, 122 outbound) in the weekday AM peak hour, and 223 new two-way auto trips (124 inbound, 99 outbound) in the weekday PM peak hour. However, applying the trip reduction for the existing use, the projected trips are 56 (0 inbound, 56 outbound) in the AM and 19 (23 inbound, -3 outbound) in the PM peak hour.

The study area intersections and proposed vehicular access are expected to operate at acceptable levels of service with minimal impact to existing traffic conditions even with the additional traffic generated by the proposed development.

The applicant is required to provide a draft reference plan showing the future right of way widths and sight triangle to the satisfaction of the Transportation and Works Department prior to lifting of the 'H' symbol.

### **Noise**

An Environmental Noise Feasibility Study prepared by Valcoustics Canada Ltd. dated March 25, 2021, was submitted for review. The noise study evaluates the potential impact both to and from the proposed development and road traffic on Dundas Street West, Confederation Parkway and Parkerhill Road. Noise mitigation will be required in the form of upgraded building components and mitigation measures to reduce any negative impacts. Final details related to noise mitigation requirements will be further addressed at the site plan stage and will ensure the mitigation measures are installed.

### **Construction**

While some disturbances associated with construction can be expected, the impacts will be temporary. Should the applications be approved, a Construction Management Plan (CMP) will be required prior to building activities on site. Mud tracking will be managed through the City's Lot Grading and Municipal Services Protection By-law and construction will also

be subject to the City's Noise Control By-law, which regulates the period of time when construction equipment can be in operation within residential areas.

### **Other Engineering Matters**

The applicant has submitted a number of technical plans and drawings (i.e. Grading and Servicing Plans), which will be further addressed as part of future 'H' removal application. A Development Agreement will be required to capture any municipal infrastructure works, land dedication and easements as well as any additional requirements, provisions and clauses related with the development of the lands.

### **"H" Holding Symbol**

Should the rezoning application be approved in principle, the outstanding technical matters noted above, including the requirement for a Development Agreement, are to form part of the conditions to remove the 'H' holding symbol.

### **Credit Valley Conservation (CVC)**

Comments updated in June 2022 state that revisions are required to a number of drawings to appropriately delineate the existing flood line. In addition, the proposed dry swale is to be relocated outside of the Long Term Stable Slope Line. Certain other stormwater management control features are also recommended to be relocated to allow proper distance from Mary Fix Creek. While the Environmental Impact Study is generally acceptable, some additional information has been

requested. CVC is also recommending amendments to the landscape plan to include more native species and acceptable erosion control within the buffer adjacent to Mary Fix Creek. These outstanding matters will be included as a condition of the 'H' holding symbol removal on the lands.

### **Community Services**

The 10.0 m (32.8 ft.) setback adjacent to Mary Fix Creek has been deemed acceptable. The setback is to be split with a 7.0 m (22.9 ft.) naturalized buffer measured from the largest constraint (top of bank, stable slopes) that will be dedicated gratuitously to the City and zoned **G1**, and a 3.0 m (9.8 ft.) landscape buffer, which can be used to accommodate grading, drainage and tiebacks to ensure no encroachment into the **G1** Zone. All proposed grading/drainage features, shoring, tiebacks and maintenance must be located within the 3.0 m (9.8 ft.) landscaped buffer, which will remain in private ownership along the west property line.

### **School Accommodation**

On May 27, 1998, Council adopted Resolution 152-98 which, among other things requires that a Bill 20 development application include the following as a condition of approval:

Prior to the passing of an implementing zoning by-law for residential development, the City of Mississauga shall be advised by the School Boards that satisfactory arrangements regarding the adequate provision and distribution of educational

facilities have been made between the developer/applicant and the School Boards for the subject development.

In comments, dated June 30, 2022, the Peel District School Board and the Dufferin-Peel Catholic District School Board responded that they are satisfied with the current provision of educational facilities for the catchment area and, as such, the school accommodation condition as required by City of Mississauga Council Resolution 152-98 pertaining to satisfactory arrangements regarding the adequate provision and distribution of educational facilities need not be applied for this development application.

### **3. *Provincial Policy Statement, 2020 (PPS) and the Growth Plan for the Greater Golden Horseshoe (Growth Plan) 2019 and Amendment No. 1 (2020)***

The *Provincial Policy Statement* (PPS) and the *Growth Plan for the Greater Golden Horseshoe* (Growth Plan) provide policy direction on matters of provincial interest related to land use planning and development and directs the provincial government's plan for growth and development that supports economic prosperity, protects the environment and helps communities achieve a high quality of life.

Both the PPS and the Growth Plan recognize that the official plan is the most important vehicle for implementation of these policies as "comprehensive, integrated and long-term planning is best achieved through official plans".

Under the *Planning Act*, all planning decisions must be consistent with the PPS and conform to the Growth Plan.

### **4. Consistency with PPS**

The Public Meeting Report dated December 17, 2021(Appendix 1) provides an overview of relevant policies found in the PPS. The PPS includes policies that allow for a range of intensification opportunities and appropriate development standards, including:

Section 1.1.3.1 of the PPS states that settlement areas shall be the focus of growth and development.

Section 1.1.3.2 of the PPS requires development to reflect densities and a mix of land uses which efficiently use land and resources, are appropriate for and efficiently use infrastructure and public service facilities and are transit supportive.

Section 1.1.3.3 of the PPS states that planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated, taking into account existing building stock.

Section 1.1.3.4 of the PPS states that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while maintaining appropriate levels of public health and safety.

The subject site and development proposal represents an opportunity to intensify the use of the land, increase the range of housing options in the area while avoiding environmental

health or safety concerns. As outlined in this report, the proposed development supports the general intent of the PPS.

## 5. Conformity with Growth Plan

The Growth Plan was updated May 16, 2019, in order to support the "More Homes, More Choice" government action plan that addresses the needs of the region's growing population. The new plan is intended, amongst other things, to increase the housing supply and make it faster and easier to build housing. Pertinent changes to the Growth Plan include:

- The Vision for the Growth Plan now includes the statement that the Greater Golden Horseshoe will have sufficient housing supply that reflects market demand and what is needed in local communities.
- Section 2.2.1.2 c) states the within settlement areas, growth will be focused in delineated built-up areas; strategic growth areas; locations with existing or planned transit; and, areas with existing or planned public service facilities.
- Section 2.2.2.3 requires municipalities to encourage intensification generally throughout the delineated built-up area. Previous wording referred to encouraging intensification to generally achieve the desired urban structure.
- Section 2.2.2.3 also directs municipalities to identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas.

The PPS and Growth Plan indicate that development must be governed by appropriate standards including density and scale. The proposed development conforms to the Growth Plan as it is intensifying an underutilized site and utilizing existing

municipal infrastructure and supporting transit use as it is located on an intensification corridor and a higher order transit corridor.

The policies of the Greenbelt Plan and the Parkway Belt Plan are not applicable to these applications.

## 6. Region of Peel Official Plan

As summarized in the public meeting report dated January 10, 2022 (Appendix 1), the proposed development does not require an amendment to the Region of Peel Official Plan. The subject property is located within the Urban System of the Region of Peel. General Objectives in Section 5.3.1 and General Policies in Section 5.3.2 direct development and redevelopment to the Urban System to achieve pedestrian friendly and transit supportive intensification.

The proposed development conforms to the ROP as it is an appropriate development that is transit supportive and efficiently uses land to contribute to housing choices in the neighbourhood.

## 7. Mississauga Official Plan (MOP)

The proposal requires an amendment to the Mississauga Official Plan Policies for the Cooksville Neighbourhood Character Area (West), to permit up to a 14 storey mixed use

building with a floor space index of 3.66, and a naturalized 7.0 m (22.9 ft.) buffer adjacent to Mary Fix Creek. Section 19.5.1 of Mississauga Official Plan provides the following criteria for evaluating site specific Official Plan Amendments:

- ***Will the proposal adversely impact or destabilize the overall intent, goals and objectives of the Official Plan; and the development or functioning of the remaining lands which have the same designation, or neighbouring lands?***
- ***Are the lands suitable for the proposed uses, and are the proposed land uses compatible with existing and future uses of the surrounding lands?***
- ***Are there adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed application?***
- ***Has a planning rationale with reference to Mississauga Official Plan policies, other relevant policies, good planning principles and the merits of the proposed amendment in comparison with the existing designation been provided by the applicant?***

Planning staff have undertaken an evaluation of the relevant policies of the PPS, Growth Plan and MOP, including those found in Section 19.5.1 against this proposed development application.

The following is an analysis of the key policies and criteria:

#### *Directing Growth*

The subject site is located in the Cooksville Neighbourhood Character Area (West), on the north side of Dundas Street West, west of Parkerhill Road.

The subject site is designated **Mixed Use** which permits a variety of commercial, retail and personal service shops along with residential uses that are in conjunction with other permitted uses.

#### *Compatibility with the Neighbourhood*

Intensification within Neighbourhoods is to be compatible in built form and scale to surrounding development and will be sensitive to the existing and planned context. The site is located within the Cooksville Neighbourhood Character Area (West), on an Intensification Corridor intended for Higher Order Transit. A range of uses are permitted in the node including both residential and retail commercial. The surrounding lands are designated **Residential High Density** to the east, which permits residential apartment dwellings, **Mixed Use** to the south, which permits a range of residential and retail commercial, and **Greenlands** to the west which permits conservation and flood management. The proposed building has been designed with the majority of the height and massing being located along the Dundas Street West frontage and Mary Fix Creek. The building then steps down toward the existing low density residential to the north. This design reduces shadow impact and overlook issues making this an appropriate transition to the adjoining lands. The proposed development

results in a land use that is compatible with the existing and planned context of Dundas Street West.

The Dundas Connects Master Plan was approved by PDC on July 5, 2022 with the implementing documents scheduled for the Council meeting on August 10, 2022. Dundas Connects recommends a maximum height of 12 storeys for this site. After a detailed analysis of the materials submitted in support of this application, staff are able to support the additional 2 storeys being proposed. The majority of the building falls within the 12 storey maximum, with only a small portion at the southwest corner that rises 2 storeys above. The thirteenth and fourteenth storey also have floor plates of 670 m<sup>2</sup> (7,211.8 sq. ft.) and 621 m<sup>2</sup> (6,684.3 sq. ft.) respectively. The building's design maximizes the efficiency of the property and the stepping down of the building heights toward the north allows for an appropriate transition to the existing neighbourhood.

#### *Services and Infrastructure*

Based on the comments received from the applicable City Departments and external agencies, the existing infrastructure is adequate to support the proposed development.

The Region of Peel has advised that there is adequate water and sanitary sewer capacity to service this site.

The site is currently serviced by the following MiWay Transit routes:

- Route 1 on Dundas Street West having direct access to the Kipling GO and TTC Subway Station

- Route 28 on Confederation Parkway that leads to City Centre Transit Terminal to the north and Trillium Health Centre to the south
- Route 101 and 101A along the Dundas Express route which terminated at U of T Mississauga to the west and Kipling GO and TTC Subway Station to the east

There is a transit stop on Dundas Street West within 75 m (246 ft.) of the site.

Dundas Street is planned for Bus Rapid Transit (BRT). The Dundas Connects Master Plan (2018) was undertaken to take a coordinated view of the corridor from a land use and transportation perspective ([Dundas Connects Master Plan – City of Mississauga](#)) in support of higher order transit along Dundas Street. The City has built upon the previous Dundas Connects Master Plan (2018) and is currently developing the preliminary design and obtaining Environmental Assessment approvals to proceed with the implementation of the Dundas BRT corridor. Furthermore, the City has made a submission for implementation funding through the Investing in Canada Infrastructure Program for the initial segment between Confederation Parkway and Etobicoke, and a decision is pending.

There are signed bicycle routes along Hillcrest Avenue and Fairview Road West and other dedicated bicycle lanes on Confederation Parkway and Kirwin Avenue. The surrounding parks, including Brickyard Park, Dr. Martin Dobkin Park and Richard Jones Park are equipped with multi-use trails.

There are a number of restaurants, commercial and retail locations along Dundas Street West and Confederation Parkway.

For these reasons, these applications are consistent with MOP, the Region of Peel Official Plan, the Growth Plan for the Greater Horseshoe and the PPS.

## 8. Revised Site Plan and Elevations

The applicant has provided a revised site plan and elevations as follows:



Site Plan



South Elevation



East Elevation

## 9. Zoning

The proposed **RA4 – Exception** (Apartments) is appropriate to accommodate the proposed 14 storey (stepped) apartment building with a 6 storey podium containing ground floor commercial uses, with an FSI of 3.7. The proposed **G1** (Greenlands) zone is appropriate to accommodate a naturalized buffer between the property and Mary Fix Creek.

Below is an updated summary of the proposed site specific zoning provisions:

### Proposed Zoning Regulations

Zone Regulations	RA4 Base Zone Regulations	Proposed RA4 - Exception Zone Regulations
Maximum <b>Floor Space Index (FSI)</b>	1.0	3.7
Minimum <b>Front and Exterior Side Yard</b>	<p>For that portion of the dwelling with a height less than or equal to 13.0 m (42.6 ft.) - 7.5 m</p> <p>For that portion of the dwelling with a height greater than 13.0 m (42.6 ft.) and less than or equal to 20.0 m - 8.5 m</p> <p>For that portion of the dwelling with a height</p>	2.0 m (6.5 ft.)

Zone Regulations	RA4 Base Zone Regulations	Proposed RA4 - Exception Zone Regulations
	greater than 20.0 m (65.6 ft.) and less than or equal to 26.0 m (85.3 ft.) - 9.5 m (31.1 ft.)  For that portion of the dwelling with a height greater than 26.0 m (85.3 ft.) -10.5 m	
Permitted accessory Uses	Limited to a retail store, personal service establishment, financial institution, office and medical office - restricted	To add restaurant and take-out restaurant to the list of permitted accessory uses
Minimum setback from a sight triangle		0.0 m (0.0 ft.)
Minimum number of resident parking spaces	1.00 resident space per studio unit  1.25 resident spaces per one-bedroom unit  1.40 resident spaces per two-bedroom unit  1.75 resident spaces per three-bedroom unit	0.85 per unit

Zone Regulations	RA4 Base Zone Regulations	Proposed RA4 - Exception Zone Regulations
Minimum number of non-residential/visitor parking spaces	0.20 visitor spaces per unit	0.15 per spaces per unit
Part 4: Residential Zones		
<b>Accessory Uses</b>	Accessory uses are limited to a retail store, personal service establishment, financial institution, office and medical office - restricted	Shall not apply
<b>Maximum Floor Space Index – Apartment Zone</b>	1.8	Shall not apply
<b>Minimum setback from a parking structure</b> completely below finished grade, inclusive of external access stairwells, to any <b>lot</b> line	3.0 m (9.8 ft.)	Shall not apply
In addition to the regulations listed, other minor and technical variations to the implementing by-law may also apply, including changes that may take place before Council adoption of the by-law, should the application be approved.		

## 10. Community Benefits Charge

Schedule 17 of Bill 197, *COVID-19 Economic Recovery Act*, 2020, amended the *Planning Act*. The Section 37 Height/Density Bonus provisions are replaced with the Community Benefit Charge (CBC) provisions, implemented by a CBC By-law passed by Council. Section 37 of the *Planning Act* now allows municipalities to impose a CBC on land to fund costs related to growth. Funds collected under CBC will be to fund projects City-wide and Council will be requested at budget time each year to spend or allocate CBC funds to specific projects in accordance with the CBC Strategy and Corporate Policy.

In response to this legislative change, Council passed the City's new CBC By-law on June 22, 2022, which will be administered by the Corporate Services Department, Finance Division. The by-law specifies to which types of development and redevelopment the charge applies, the amount of the charge, exemptions and timing of charge payment. The CBC is 4% of the value of the land. A land appraisal is required in order to determine the applicable CBC in each case.

As the subject proposal is more than 5 storeys and contains 10 or more residential units in total, the CBC will be applicable and will be payable at the time of first building permit.

## 11. "H" Holding Symbol

Should this application be approved by Council, staff will request an "H" Holding Symbol which can be lifted upon:

- Arrangements to be made with respect to the Community Benefits Charge to the satisfaction of the City
- Receipt of satisfactory Functional Servicing Report (FSR)
- Receipt of a Phase Two Environmental Site Assessment
- Receipt of a Temporary Discharge to Storm Sewer Commitment Letter
- Receipt of written confirmation (a plan or proof of decommissioning) for the existing monitoring wells
- Receipt of a Record of Site Condition
- Receipt of a signed Development Agreement
- Receipt of a satisfactory Draft R Plan showing future right of way widths and sight triangle
- Receipt of satisfactory Grading and Servicing Plans
- Finalization of the lands to be dedicated for a naturalized buffer along Mary fix Creek to the satisfaction of the Community Services Department and the CVC
- Receipt of an Environmental Impact Study to the satisfaction of Credit Valley Conservation and the City's Transportation and Works Department
- Receipt of an amended Sun/Shadow Study to the satisfaction of Development Planning Department
- Receipt of an amended Noise Study to the satisfaction of Development Planning Department

## 12. Site Plan

Prior to development of the lands, the applicant will be required to obtain site plan approval. Site Plan application SP 21-67 W7 has been circulated and comments have been provided.

While the applicant has worked with City departments to address many site plan related issues through review of the rezoning concept plan, further revisions to the site plan may be needed to address matters such as stormwater management, building materiality and landscape features.

## 13. Green Development Initiatives

The applicant has identified that the following green development initiatives will be incorporated into the development:

- Green roof
- Low Impact Development techniques to address stormwater management
- Buffer to Mary Fix Creek will be restored and dedicated to the City

## 14. Conclusions

In conclusion, City staff has evaluated the applications to permit a 14 storey (stepped) apartment building with a 6 storey podium containing ground floor commercial uses, against the *Provincial Policy Statement*, the *Growth Plan for the Greater Golden Horseshoe*, Region of Peel Official Plan and Mississauga Official Plan.

The application is seeking to intensify an underutilized parcel within the Cooksville Neighbourhood Character Area (West) in accordance with the **Residential High Density** designation of MOP. The subject site is located along an Intensification Corridor and Higher Order Transit Corridor and the compact development is transit supportive. The proposal is compatible with adjacent uses and provides for a built form that supports a mix of housing types, tenures and at varying price points to accommodate households of many income levels.

Staff are of the opinion that the applications are consistent with and conform to Provincial, Region and City planning instruments. Staff has no objection to the approval of these official plan and rezoning applications subject to the recommendations provided in the staff report.