

Recommendation Report Detailed Planning Analysis

Owner: 128 Lakeshore Road East LP

128 Lakeshore Road East

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1. Community Comments

Comments from the public were generally directed towards built form, traffic, waste collection and parking. Below is a summary and response to the specific comments heard.

Comment

Concerns were expressed with respect to the overall building height, massing, setbacks and separation distances.

Response

Section 7 of this Appendix contains Planning staff's comments with respect to the appropriateness of the proposed height and massing, setbacks and separation distances.

Comment

The existing road and signal operations cannot accommodate additional development.

Response

A Traffic Operations Assessment by LEA Consulting Ltd. was submitted in support of the applications and reviewed by Transportation and Works staff. The assessment concludes that the proposed development will have minimal impact on the surrounding road and signal operations. Transportation and Works staff have expressed concerns with multiple aspects of the proposed development including waste collection. Revised materials in response to staff comments have not been received.

Comment

The proposed parking rates are insufficient.

Response

The proposed parking supply satisfies the Zoning By-law's minimum parking rate for residents but does not satisfy the minimum parking rates for visitors and the commercial use. Parking staff have requested additional information in support of the proposed parking supply. Revised materials in response to staff comments have not been received.

Comment

Affordable rental housing should be provided to serve the Port Credit community.

Response

The City's inclusionary zoning instruments which permit the City to require affordable housing units in new developments in certain protected Major Transit Station Areas (MTSA) passed on August 10, 2022 but are not yet in effect as they are awaiting Regional and Provincial approval. Since the applications were submitted prior to the in force date, affordable housing units cannot be required as part of the proposed development. The City also does not have the legislative authority to control tenure and require the proposed development to provide rental units in place of condominium units.

Comment

Lakeshore Road East should primarily be for non-residential uses such as retail, restaurant and office. Residential uses should be directed away from Lakeshore Road East.

Response

The property is designated **Mixed Use** under Mississauga Official Plan and zoned **C4 (Main Street Commercial)** under Zoning By-law 0225-2007. The existing designation and zoning permit residential uses, such as dwellings located above the first storey of a commercial building, in conjunction with permitted non-residential uses. The Port Credit Local Area Plan recognizes the importance of Lakeshore Road East in providing street related commercial uses.

2. Updated Agency and City Department Comments

The applications were circulated to all City departments and commenting agencies on February 28, 2022. A summary of the comments are contained in the Information Report attached as Appendix 1. The applicant has not submitted revised drawings and studies. The summary of comments attached as Appendix 1 in the Information Report are still applicable.

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 May 27, 2022 (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 1.1.3.2 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.

Section 1.1.3.5 of the PPS states that planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.

Section 1.7.1.e) of the PPS states that long-term economic prosperity should be supported by encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character.

The redevelopment of the subject property with a mixed use building to a height and density greater than what currently exists is consistent with the PPS' directive for compact, mixed-use development that optimizes investment in transit infrastructure. However, the applications do not comply with the applicable local policy framework. The PPS recognizes that municipal official plans are the most important vehicle to achieving comprehensive and integrated long-term planning. The applications undermine and destabilize the Port Credit Local Area Plan's objectives by introducing a tall building on a small site along Lakeshore Road East that has insufficient regard for the appropriate development standards that are to be deployed within the Community Node.

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 2.2.2.3 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.

With respect to managing growth, Section 2.2.1 of the Growth Plan states that within settlement areas, growth will be focused in delineated built-up areas, strategic growth areas, locations within existing or planned transit, with a priority on higher order transit where it exists or is planned and areas with existing or planned public service facilities.

Section 2.2.4 of the Growth Plan directs municipalities to plan for MTSAs on priority transit corridors by delineating the boundaries of MTSAs and creating associated policies to meet minimum density targets and encourage efficient, compact, mixed-use development.

Section 5.2.5.6 of the Growth Plan directs municipalities to develop and implement urban design and site design official plan policies and other supporting documents that direct the development of a high quality public realm and compact built form to achieve minimum density targets.

The PPS and Growth Plan indicate that development must be governed by appropriate standards including density and scale.

Port Credit MTSA

The subject property is located within the Port Credit MTSA which is associated with the existing Port Credit GO station and future Hurontario Light Rail Transit (LRT) stop at Hurontario Street and Park Street. The boundaries of the Port Credit Community Node generally align with the boundaries of the Port Credit MTSA.

The Growth Plan establishes a minimum density target of 160 residents and jobs per hectare (PPJ/ha) for Port Credit MTSA. The Community Node is projected to exceed the Province's minimum density target of 160 PPJ/ha and the Region's increased minimum density target of 200 PPJ/ha for the MTSA as infill development continues to occur in accordance with the Local Area Plan, where taller buildings and higher densities are

directed towards other precincts such as the Central Residential and Harbour Mixed Use Precincts.

The Growth Plan states that development within MTSAs will be supported by alternative development standards and the identification of an appropriate type and scale of development and transition of built form to adjacent areas. This is achieved in the Port Credit MTSA through the Port Credit Local Area Plan and associated Built Form Guide. The policy framework of the Local Area Plan and the associated Built Form Guide ensure that the Growth Plan's directive is met and intensification is managed appropriately with regard for Port Credit's local context and the City's long-term vision. The subject applications are not consistent with the policy framework or the development standards of the Local Area Plan. As such, the proposed development does not conform to the Growth Plan.

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

6. Region of Peel Official Plan

On April 28, 2022, Regional Council passed By-law 20-2022 to adopt a new Official Plan, which is currently awaiting Provincial approval. The new Official Plan proposes a minimum density target of 200 PPJ/ha for the Port Credit MTSA, which exceeds the Province's minimum density target of 160 PPJ/ha. The new Official Plan will come into force and effect on the day after Provincial approval is issued and the current Official Plan will be repealed on the same day.

As summarized in the Information Report dated May 27, 2022 (Appendix 1), the proposed development does not require an amendment to the current 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 5.5 direct development to the Urban System to achieve healthy, complete urban communities that contain living, working and recreational opportunities, which respect the natural environment, resources and the characteristics of existing communities. A future objective is to achieve an urban structure, form and density which are pedestrian friendly and transit supportive.

More specifically, the Region of Peel Official Plan states that development is to achieve intensified and compact form and a mix of land uses in appropriate areas [...] while taking into account the characteristics of existing communities and services. Further, the Region of Peel Official Plan contains multiple references to respecting and maintaining the characteristics of existing communities.

The applications efficiently use land to contribute to housing choices in the Port Credit neighbourhood in close proximity to higher order transit. However, issues regarding building height, maintaining the character of Port Credit and Lakeshore Road East, and achieving adequate development standards are to be addressed through Mississauga Official Plan, which is the primary document for the evaluation of development applications.

7. Mississauga Official Plan (MOP)

The proposal requires an amendment to the Mississauga Official Plan Policies for the Port Credit Community Node Character Area, to permit an 11 storey condominium apartment building containing 42 units and commercial uses at grade. 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 subject property is located within the Mainstreet Node Precinct of the Port Credit Community Node Character Area under the Local Area Plan. The Mainstreet Node Precinct primarily contains street related commercial uses ranging from one to three storeys in height along Lakeshore Road. Notwithstanding the low rise commercial character of the Mainstreet Node Precinct, the property's immediate surroundings include a five storey apartment building to the west and a 20 storey apartment building with commercial uses at grade to the east. These apartment buildings represent older built forms that were completed prior to the Local Area Plan.

The property is designated **Mixed Use**, which permits residential dwellings in conjunction with commercial uses including retail, restaurant and office. The property is subject to the policies and guidelines of the Local Area Plan which include direction regarding height, built form, massing and site design. As previously noted, the property is subject to a maximum height of three storeys under the height schedule of the Local Area Plan.

The Local Area Plan contains criteria which must be satisfied to permit additional height above the height schedule through a site specific Official Plan Amendment (Policy 10.1.2). The following criteria is applicable to the applications:

- a. The achievement of the overall intent, goals, objectives of this Plan;

- b. Appropriate site size and configuration;
- c. Appropriate built form that is compatible with the immediate context and planned character of the area;
- d. Appropriate transition to adjacent land uses and buildings, including built form design that will maximize sky views and minimize visual impact, overall massing, shadow and overlook; and
- e. Measures to limit the amount of additional vehicular and traffic impacts on the Port Credit transportation network.

Does the proposal destabilize the overall intention of MOP and the Local Area Plan?

Intensification in the Community Node is to be consistent with the planned function as reflected by the local policy framework. The amount of intensification in the Community Node will vary in accordance with the Local Area Plan's specific policy framework for each precinct. The Local Area Plan policies are intended to reflect a number of objectives including ensuring the greatest height and density is located in close proximity to the Port Credit GO station and Hurontario LRT stop. It also is to ensure building heights reflect an appropriate transition towards the mainstreet area and provide a village mainstreet environment that is characterized by low rise, mixed use development with a high quality public realm along Lakeshore Road East. Taller buildings and higher density residential uses are directed towards the Central Residential, Harbour Mixed Use and Riverside Precincts.

The following principles and policies implement these objectives:

Sections 5.1.1 and 5.1.5 of the Local Area Plan seek to protect and enhance the urban village character recognizing heritage resources, the mainstreet environment, compatibility in scale, design, mixture of uses and creating focal points and landmarks and balance growth with existing character to respect the experience, identity and character of the surrounding context.

Policy 5.3.3.11 of MOP states that development in Community Nodes will be in a form and density that complements the existing character of historical Nodes or that achieves a high quality urban environment within more recently developed Nodes.

Policy 5.5.5 of MOP states that development in Intensification Areas will promote the qualities of complete communities.

Policy 6.1.6 of the Local Area Plan states that intensification will address matters such as sensitivity to existing and planned context and contribution to the village mainstreet character.

Policy 8.4.2 of the Local Area Plan states that Lakeshore Road (east and west) is a key location for the promotion of Port Credit as a place for vibrant cultural activities and providing a “sense of place”. The mainstreet environment, including the built form, public realm, street furniture, lighting, cycling amenities, trees, gathering places are to be protected and, where possible, enhanced.

Policy 10.1.1 of the Local Area Plan states that development will be in accordance with the minimum and maximum height limits as shown on the applicable height schedules.

Section 10.2.2 of the Local Area Plan states that the Central Residential Precinct contains a significant concentration of apartment buildings with potential for intensification, primarily in the immediate vicinity of the GO station and will have the highest building heights in Port Credit.

Section 10.2.3 of the Local Area Plan states that the Mainstreet Node Precinct includes part of Port Credit's traditional mainstreet which generally extends a half block north and south of Lakeshore Road (east and west).

Policy 10.2.3.1 of the Local Area Plan states that the Mainstreet Node Precinct will contain street related commercial uses with a rhythm of closely spaced storefronts lining the street in order to encourage and foster an active pedestrian street.

Section 10.2.4 of the Local Area Plan states that the Harbour Mixed Use Precinct has potential for intensification and is intended to contain a mixture of uses and densities.

Section 10.2.5 of the Local Area Plan states that the Riverside Precinct is intended to provide a transition between the taller building heights in the Central Residential Precinct and the low rise building heights in the North Residential Neighbourhood.

While the Central Residential Precinct, Harbour Mixed Use Precinct and Riverside Precinct are anticipated to intensify

through infill development in a form with greater heights and densities, the primary purpose of the Mainstreet Node Precinct, as illustrated by the policies above, is to provide street related commercial uses in a low rise built form to foster and encourage an active pedestrian street. The Local Area Plan protects the existing height regime in the Mainstreet Node Precinct by directing greater heights away from the mainstreet and preventing tall buildings from becoming visually intrusive and impacting the pedestrian experience. More specifically, to implement this goal, the height schedule reinforces a height limit of three storeys for the Mainstreet Node Precinct, whereas heights between 15 to 22 storeys in the Central Residential Precinct and 6 to 22 storeys in the Harbour Mixed Use Precinct have been permitted subject to additional criteria.



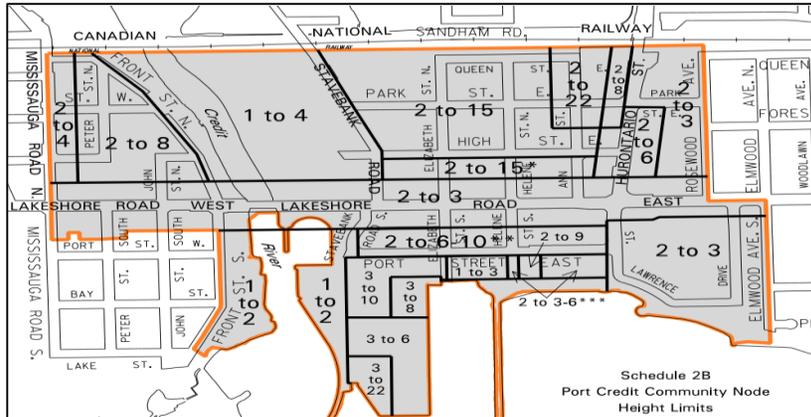
Aerial image of a section of the Community Node retrieved from Google. The majority of tall buildings within the Community Node are located within the Central Residential Precinct. The built form along the Mainstreet Node Precinct is predominantly low rise

A tall building is defined under MOP as a building having a height greater than the width of the street on which they front. The proposed building (11 storeys and 37.0 m (121.4 ft.)

inclusive of mechanical penthouse) is considered a tall building given its frontage along Lakeshore Road which has a right-of-way width of 26.0 m (85.3 ft.). Tall buildings are generally directed to the Central Residential Precinct or other locations which possess significant locational attributes such as the apartment building at the northeast corner of Hurontario Street and Lakeshore Road East.

The Local Area Plan's strategy for building heights, specifically within the Mainstreet Node Precinct, is evident when viewing the adjacent stretch of Lakeshore Road East between Stavebank Road to Hurontario Street. This area represents the core of Port Credit's traditional commercial mainstreet due to its pedestrian vibrancy, diversity of retail stores, quality streetscape, and low rise built form. Much of Port Credit's village character is found here, while the greater heights and densities are located north and south of Lakeshore Road East.

As illustrated in the aerial image above, the existing height regime along Lakeshore Road East has been maintained with the exception of the apartment buildings constructed prior to the Local Area Plan. In terms of activity within the surrounding area, the most recent development application approved along Lakeshore Road East involved a height increase to four storeys on the frontage of the former No Frills site. The proposed tall building depicted in the aerial image above entails a height more commonly found in the Central Residential or Harbor Mixed Use Precincts. If approved, it would represent the first significant deviation from the planned height regime within the Mainstreet Node Precinct.



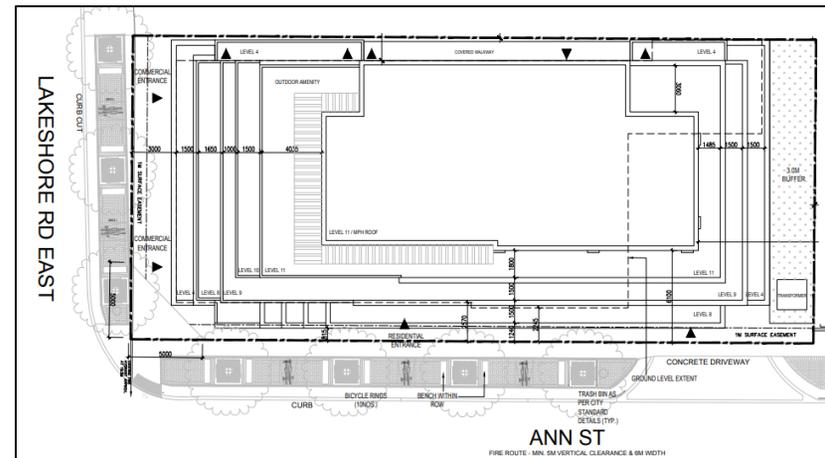
Excerpt of the Local Area Plan's height schedule for the Community Node. The proposed height of 11 storeys results in a significant deviation from the applicable height limit for the Mainstreet Node Precinct and resemble heights found in the Central Residential or Harbour Mixed Use Precincts

Approval of the applications could be seen as signaling planning support for other similar building height proposals on small sites throughout the Community Node, and along the Mainstreet Node Precinct where the predominant lotting fabric is characterized by smaller, narrow lots. This could have a destabilizing impact on intended development heights, built form and character along Lakeshore Road East. Potential impacts include the loss of existing commercial uses as a result of future redevelopment, the encroachment of greater building heights along the mainstreet and unacceptable cumulative traffic impacts on the local road network as densities along Lakeshore Road East increase beyond those planned. A continuation of this inappropriate intensification would transition the Mainstreet Node Precinct's character into a built

environment similar to the Central Residential Precinct or Harbor Mixed Use Precinct.

Site size and configuration

The relationship of site size to the size of the building and configuration should be considered in order to avoid a building overwhelming its site. Sites that are too small to accommodate a tall building with the required setbacks on all sides are not appropriate for tall buildings. Small sites for corner lots are generally considered to be 45.0 m (147.6 ft.) by 40.0 m (131.2 ft.). The subject property is approximately 46.3 (151.9 ft.) m by 20.1 m (65.9 ft.) and is therefore, considered a small site.



Excerpt of the proposed site plan for the 11 storey building including building setbacks

The Port Credit Built Form Guide states that a tall building should be set back a minimum of 10.0 m (32.8 ft.) from side and rear property lines. As a result of the property's size, which would be one of the smaller sites to accommodate an apartment

building in Port Credit, the proposed tall building does not meet the Built Form Guide's requirements for building setbacks. Proposed maximum setbacks from the rear and side property lines include approximately 7.5 m (24.6 ft.) to the north, 1.5 m (4.9 ft.) to the west and 6.1 m (20.0 ft.) to the east. As a result of the insufficient setbacks, the proposed building does not achieve the Built Form Guide's required separation distance to adjacent buildings. As well, operational elements such as loading and waste collection are not fully accommodated within the property.

While a larger site size would allow for a design which provides appropriate building setbacks, sufficient landscape areas and preferable servicing and loading options, the small size of the property restricts the proposed tall building's ability to meet the applicable development standards and maintain operations on site.

Appropriate built form that is compatible with the immediate context and planned character of the area

The surrounding context of the property includes a five storey apartment building to the west and a 20 storey apartment building with commercial uses at grade to the east. Although these existing buildings have heights greater than what is permitted in the Mainstreet Node Precinct, construction of these buildings predate the Local Area Plan. Specific policy and design initiatives including the Local Area Plan and associated Built Form Guide have since been adopted by Council to ensure future development preserves and enhances the mainstreet

character of Lakeshore Road East and does not rely only on replicating older built forms.

Section 10.2 of the Local Area Plan states that development in the Community Node will ensure building heights reflect an appropriate transition towards the mainstreet area and will be sensitive to the existing context, and planned character of the area.

Policy 10.2.2.2 of the Local Area Plan states that building heights on lots adjacent to the Mainstreet Node Precinct will demonstrate an appropriate transition.

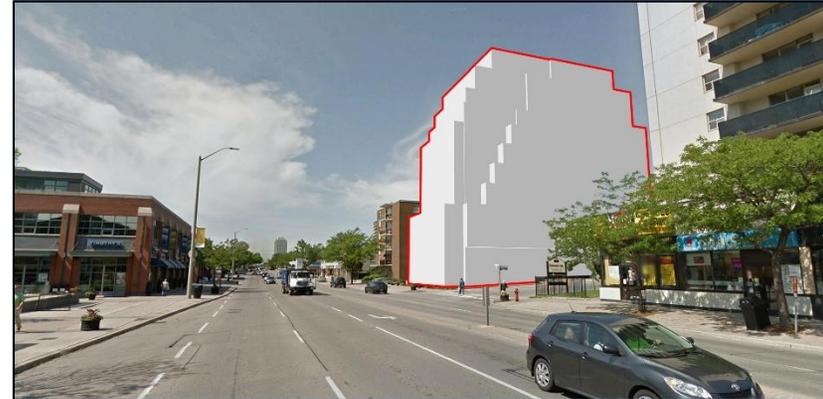


Aerial image of the property and immediate surroundings retrieved from Google with the proposed 11 storey building. The proposed height and step backs do not result in an appropriate transition to Lakeshore Road East

While residential and commercial uses are suitable for the lands and would be compatible with the surrounding context, the proposed height and built form is considered to be excessive.

The Local Area Plan's height schedule ensures that new development respects and relates to the community context. In terms of the Mainstreet Node Precinct, the objective is for building heights to transition down to Lakeshore Road East to maintain a consistent low rise streetwall. This can be achieved through a combination of development standards including a reduced building height and the provision of adequate building step backs.

As illustrated in the rendering above and below, the proposed building does not achieve the appropriate downward height transition towards Lakeshore Road East as a result of the excessive height and insufficient step backs. The Local Area Plan and Built Form Guide provide specific direction to reinforce a mainstreet height regime along Lakeshore Road East and to prevent tall buildings from removing sky views and impacting the pedestrian experience. While the proposed tall building provides a streetwall height compatible with the mainstreet character, the insufficient step backs and building height intrude into existing sky views and result in a conflicting presence along the mainstreet. The proposed built form negatively impacts the Lakeshore Road frontage and is not compatible with the planned mainstreet village character the Local Area Plan seeks to achieve within the Mainstreet Node Precinct.



Street view image of Lakeshore Road East retrieved from Google with the proposed 11 storey building. The proposed building intrudes into existing sky views and conflicts with the planned character of Lakeshore Road East

Appropriate transition to adjacent land uses and buildings, including built form design that will maximize sky views and minimize visual impact, overall massing, shadow and overlook

The spacing between the faces of tall buildings enhances privacy, opens up views between buildings and permits access to sunlight and views of the sky. The Built Form Guide seeks to achieve a minimum separation distance of 35.0 m (114.8 ft.) to 40.0 m (131.2 ft.) from any portion of a building that is over six storeys to another building that is over six storeys.



Aerial image of Lakeshore Road East retrieved from Google illustrating the deficient separation distance between the proposed 11 storey building and the existing 15 storey building to the north

As a result of the site's limited size, the proposed building does not provide the setbacks from specific property lines to achieve the Built Form Guide's separation distances to the 15 storey apartment building to the north and the 20 storey apartment building to the east. Specifically, the resulting separation distances are approximately 16.5 m (54.1 ft.) to 19.5 m (64.0 ft.) to the 15 storey apartment building and 27.3 m (89.6 ft.) to 30.7 m (100.7 ft.) to the 20 storey apartment building. These proposed separation distances are not envisioned or intended by the Local Area Plan and the Built Form Guide.

In addition to the deficient separation distances, the proposed tall building's relationship with the adjacent five storey apartment building could be improved to minimize shadowing and increase exposure to sunlight.



Excerpt from Built Form Guide illustrating existing separation distances in the Central Residential Precinct and Mainstreet Node Precinct

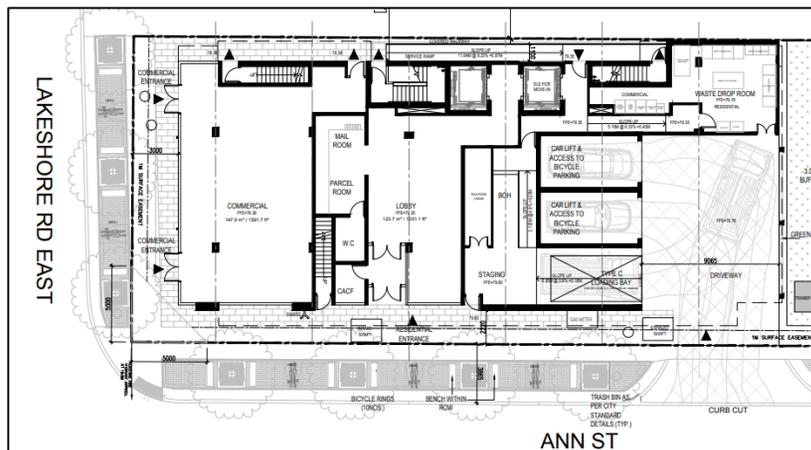
If the applications were to be approved, a negative precedent would be set that tall buildings with insufficient separation distances can be accommodated on small sites. Further, the negative precedent would be magnified as the proposed tall building is located along Lakeshore Road East where the Local Area Plan provides direction on the anticipated height regime in the Mainstreet Node Precinct.

Measures to limit the amount of additional vehicular and traffic impacts on the Port Credit transportation network.

MOP and the Local Area Plan direct servicing, loading and garbage storage areas to be internal to the building or screened from the public realm. These areas should be designed in a manner that screens less desirable aspects while addressing safe and efficient movement of pedestrians, cyclists and vehicles.

The proposed development includes three levels of

underground parking with access provided by two internal lifts accessed from Ann Street. Loading is accommodated internally with one loading space for a light single unit vehicle, and along Ann Street for larger loading vehicles. Waste collection is currently proposed via curbside pick-up along Ann Street. Transportation and Works staff have concerns with multiple aspects of the proposed development including potential vehicular queuing on Ann Street and curbside waste collection. Additional analysis is required to ensure vehicular and servicing operations are sufficient and will not impact the transportation network.



Excerpt of the proposed ground floor plan for the 11 storey building which entails two car lifts, one internal loading space and curbside waste collection on Ann Street

Parking

The proposed parking supply satisfies the Zoning By-law's minimum parking rate for residents but does not meet the minimum parking rates for visitors and the commercial use. A

reduction from the minimum parking rates for visitors and retail might be supportable given the proximity to higher-order transit, the availability of local services, the location along Lakeshore Road, the potential to limit additional impacts on the transportation network and the walkability of Port Credit. However, Parking staff have requested a satisfactory parking study with appropriate survey data to provide justification for the proposed parking supply.

8. 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 five 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.

9. "H" Holding Symbol

Should this application be approved by the Ontario Land Tribunal (OLT), staff may request an "H" Holding Provision which can be lifted upon resolution of outstanding technical matters.

10. Site Plan

Prior to development of the lands, the applicant will be required to obtain site plan approval. No site plan application has been submitted to date for the proposed development.

11. Conclusions

In conclusion, City staff has evaluated the applications to permit the 11 storey condominium apartment building containing 42 units and commercial uses at grade against the *Provincial Policy Statement*, the *Growth Plan for the Greater Golden Horseshoe*, Region of Peel Official Plan and Mississauga Official Plan.

Based on a review of the applicable Provincial and Municipal policies, a mixed use redevelopment on the property with a built form higher than what exists today supports general

intensification policies and transit investment. However, the proposed building height and overall design is not acceptable for the following reasons:

- The proposed height and density is not required to meet the applicable minimum density target under the Growth Plan
- The proposed height and built form is not consistent with the Local Area Plan's vision for the Mainstreet Node Precinct
- The proposal does not meet the required criteria for additional building height in the Port Credit Community Node
- The size of the property cannot accommodate a tall building in accordance with the Built Form Guide
- Approval of the applications will set an undesirable precedent for future development along Port Credit's commercial mainstreet of Lakeshore Road