

## Recommendation Report Detailed Planning Analysis

**Owner: Augend 189 Dundas Street West Village Properties Ltd.**

**189 Dundas Street West and 3061 Parkerhill Road**

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## 1. Community Comments

Comments from the public at the community and public meetings were generally directed toward the proposed height and density and the resulting effects including shadow impacts, wind tunnels and increased traffic. Below is a summary and response to the specific comments heard.

### Comment

A resident raised concerns regarding excessive height and density.

### Response

The proposed height is far greater than what was approved as part of the Dundas Connects Master Plan or what is permitted in Mississauga Official Plan and is not supported by staff.

### Comment

A resident was concerned about the lack of sunlight and negative shadow impact.

### Response

Two shadow studies, prepared by BDP Quadrangle, dated June 28, 2021 and November 11, 2022 were submitted in support of the application. The studies conclude that the proposed development shades a portion of the private rear yards of homes to the west of the property for over one hour during times 7:07 a.m. to 8:20 a.m., and therefore does not meet the City's standards and terms of reference.

### Comment

A resident is concerned that the proposed development may cause wind tunnels.

### Response

A pedestrian wind comfort and safety study, prepared by Theakston Environmental dated June 4, 2021 was submitted. Staff have reviewed the study and find that there are negative impacts on the proposed amenity area and the public realm along Dundas Street West. The overall height and massing should be decreased to minimize the negative impacts.

### Comment

There was a concern regarding the increased traffic that this development will create.

### Response

Transportation impact studies, prepared by LEA Consulting, dated June 2021 was submitted in support of the original application. A second study, prepared by LEA Consulting, dated November 2022 was submitted with the second submission in support of the relocated access to Parkerhill Road. Both studies have been reviewed by staff and revisions have been requested to adequately support the proposed access points and the anticipated effects of growth in this area.

## 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 August 6, 2021 and the second submission was circulated on December 6, 2022. A summary of the comments are contained in the Information Report attached as Appendix 1. Below are updated comments.

#### Transportation and Works

##### Development Issues

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.

Should the application be approved by the Ontario Land Tribunal (OLT), the owner will be required to provide additional technical details and revisions to drawings and studies, including requirements for the ultimate right-of-way. It should be noted that the extent of any proposed municipal infrastructure (i.e. servicing and/or boulevard/road works) will be required to be addressed through an "H" Holding Zone.

##### Stormwater

The Functional Servicing and Stormwater Management Report, prepared by Counterpoint Engineering, dated June 25, 2021

and revised September 1, 2022 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.

The applicant has demonstrated a satisfactory stormwater servicing concept, however, pending the confirmation of the ultimate property limit, certain details may change. Water reuse on site is being pursued via a rainwater harvesting cistern as a low impact development design feature. Further details related to the groundwater dewatering and any potential groundwater quality treatment that may be required can be addressed prior to Site Plan approval.

##### Environmental Compliance

A Phase One Environmental Site Assessment (ESA), dated May 20, 2016, and a Phase Two ESA, dated September 7, 2016, both prepared by Kodiak Environmental Limited, were submitted for 189 Dundas Street West in support of the proposed development. It is noted that a Record of Site Condition (RSC) has been filed for the property in 2016 for the proposed residential use. As some of the information and resultant conclusions of the ESA reports are time-sensitive, which could alter the recommendations of the reports, the findings of the assessments must be re-evaluated.

A current Phase One ESA, including 189 Dundas Street West and the newly acquired 3061 Parkerhill Road, must be prepared and submitted to the City for review. The remaining

requirements, including letters of reliance for the Phase One and Phase Two ESA reports; a letter certified by a Qualified Person, stating that land to be dedicated to the City is environmentally suitable for the proposed use; a Temporary Discharge to Storm Sewer Commitment Letter; and, a written document prepared by a Professional Engineer that includes a plan to decommission the wells, the oil-water separator, and the aboveground storage tanks or proof of decommissioning if already completed will be required to be addressed through an "H" Holding Zone.

### **Traffic**

Two (2) traffic impact study (TIS) submissions were prepared by LEA Consulting Ltd., dated June 2021 and revised November 2022, in support of the proposed development. The submissions were reviewed and audited by the City's Transportation and Works Department. Based on the most recent submission dated November 2022, the study requires further clarification on the information provided.

The study concluded that the proposed development is anticipated to generate approximately 132 (44 in, 88 out) and 218 (114 in, 104 out) two-way site trips during the weekday AM and PM peak hours in 2027, respectively.

Should the rezoning application be approved by the OLT, Transportation and Works staff request that the following be addressed through an "H" Holding Zone:

- Provision of an updated TIS to the satisfaction of the City of Mississauga;

- Provision for updated Turning Movement Diagrams to evaluate the internal site circulation and access points;
- Provision for a road allowance widening towards the ultimate 42.0 m (137.8 ft.) right-of-way of Dundas Street West as identified in the Official Plan; and,
- Provision for a public easement to facilitate an interconnection between the adjacent properties to the satisfaction of the City of Mississauga.

### **Noise**

An Environmental Noise Feasibility Study, dated June 24, 2021, and Addendum , dated December 5, 2022, both prepared by Valcoustics Canada Ltd., were submitted for review. The Noise Study evaluates the potential impact both to and from the proposed development and recommends mitigation measures to reduce any negative impacts. Noise sources that may have an impact on this development include road traffic, nearby commercial properties and mechanical equipment of other residential buildings in the vicinity. Noise will be mitigated through the inclusion of air conditioning all units and upgraded materials for the building façade, the details of which will be confirmed through Site Plan and Building Permit processes.

### **Engineering Plans/Drawings an Other Engineering Matters**

Should this rezoning application be approved by the OLT, other outstanding engineering matters can be addressed through an "H" Holding Zone, and the review and approval of the required Development Agreement. Site-specific details will include, but not be limited to, grading, municipal infrastructure design and construction, servicing, land dedications, easements, road works and traffic signal upgrades.

## "H" Holding Provision

Should the rezoning application be approved at the Ontario Land Tribunal (OLT), 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 provision.

## Housing

The proposed development conforms to the objectives and policies of the City of Mississauga's housing policies by providing for a high-quality, compact residential development on a site that is designated for growth to occur. These applications propose a total of 966 units, of which, 67 units are studio units and 159 are junior one bedroom units that may allow for ownership at, or slightly above, the ownership threshold of \$420,000.

## Heritage

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. The applicant has completed an Archaeological Impact and Archaeological Assessment Report titled, "Original 01 December 2022 Stage 1-2 Archaeological Assessment, 189 Dundas Street West, City of Mississauga, Region of Peel (Amick Corporate File 2022-665/MCM Project Information Form Number P058-2228-2022. MCM File Number 0018307" was entered into the Ontario Register of Archaeological Reports on December 2, 2022.

## School Accommodation

In correspondence dated November 12, 2022, the Peel District School Board and in correspondence dated November 12, 2022, the Dufferin-Peel Catholic District School Board confirmed that they are still satisfied with the current provision of educational facilities for the catchment area. 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 Information Report dated March 25, 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 1.1.3.1 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 but is found to be excessive, given the planned function of the neighbourhood.

#### 5. Conformity with Growth Plan

The Growth Plan was approved on May 16, 2019, and recently updated in order to support the "More Homes, More Choice" government action plan that addresses the needs of the region's growing population. The updated 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 requires that growth 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 generally conforms to the Growth Plan as it is intensifying an underutilized high density site and utilizing existing municipal infrastructure. The proposed development does not, however, represent an appropriate scale and transition to the neighbourhood. The City Planning Strategies (CPS) Division has confirmed that the Cooksville Neighbourhood Character Area is projected to achieve its required density targets as infill development continues in accordance with the Local Area Plan provisions. On this basis, CPS has also confirmed that a boundary expansion is not required to meet the density targets.

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 March 25, 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 an efficient use of land.

The ROP also includes references to respecting, recognizing, and taking into account the characteristics of existing communities (e.g. policies 5.3.1.3, 5.3.1.4, 5.3.1.7, and 5.3.2.6). This general policy direction remains in the new ROP. The primary instrument used to assess character is MOP and an assessment of the proposed development is provided in Section 7 of this Appendix.

Under Bill 23, the role of the Regional Official Plan will change, but until that component comes into force and effect, the Regional Official Plan continues to be valid and all proposed amendments to MOP must conform.

As summarized in the public meeting report dated March 25, 2022 (Appendix 1), the proposed development does not require an amendment to the Region of Peel Official Plan. The proposed development is located within the Urban System and achieves many of the objectives and policies of the ROP, including: directing redevelopment to the urban system, efficient use of existing services and infrastructure, encouraging a pattern of compact forms, providing an appropriate range of housing, support pedestrian-friendly and transit-supportive opportunities for intensification and mixed land uses (Section 5.3).

The ROP, however, does include references to respecting, recognizing and taking into account the characteristics of existing communities (e.g. policies 5.3.1.3, 5.3.1.4, 5.3.1.7, and 5.3.2.6). This general policy direction remains in the new ROP. The primary instrument used to assess character is MOP and

an assessment of the proposed development is provided in Section 7 of this Appendix.

## 7. Mississauga Official Plan (MOP)

The proposal requests an amendment to the Mississauga Official Plan Policies to expand the boundary of the Downtown Cooksville Character Area to include these lands. This proposal requires an amendment to the Cooksville Neighbourhood Character Area to allow for the additional height and density proposed within the three condominium apartment buildings of 32, 20 and 18 storeys in height, with ground floor commercial uses in the 20 storey apartment building. 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:

MOP states that "Mississauga will develop an urban form based on the urban system and the hierarchy identified in the city structure as shown on Schedule 1: Urban System. (Section 9.1.1)". The subject site is identified as being located in a Neighbourhood along an Intensification Corridor. The subject official plan amendment application is to expand the boundary of the Downtown Cooksville Character Area to include this property. The Downtown Cooksville Character Area, along with the Downtown Fairview Character Area and Downtown Hospital Character Area, form part of the Urban Growth Centre (UGC). The UGC was studied and the lands included in it were considered strategic and approved by the Province. It is not appropriate, or necessary, to amend the boundary to include the subject site. The three Downtowns (Fairview, Cooksville and Hospital) were recently reviewed by staff as part of a comprehensive review, resulting in a report that was approved by City Council, titled "Planning 15-Minute Cities: Downtown Fairview, Cooksville and Hospital Policy Review – Official Plan Amendments and Built form Standards". It was concluded that lands included therein are providing the required residential intensification to meet the provincial targets, as specified by the



PPS, the Growth Plan and ROP, at the current heights identified.

In addition, the Dundas Corridor Policy Implementation Project report was recently considered by City Council and heights of a maximum of 12 storeys were endorsed on this site. Applications for Official Plan Amendments are evaluated on a case by case basis, and the location of the lands in a "Downtown" is only one of the considerations. Staff have evaluated these applications based on all of the policies of the PPS, Growth Plan, ROP and MOP.

#### *Directing Growth*

The subject site is located in the Cooksville Neighbourhood Character Area (West), on the north side of Dundas Street West, west of Confederation Parkway and east 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.

Mississauga Official Plan (MOP) Section 5.3.5.5 allows for intensification within Neighbourhoods where the development is compatible in built form and scale to surrounding development, and enhances the existing or planned development. MOP also requires that development will be sensitive to the existing and planned context and will include appropriate transition in use, built form, density and scale (Section 5.3.5.6). The proposed

development is significantly taller than the existing context and is not consistent with or complementary to the planned context in the Cooksville Neighbourhood Character Area. MOP requires that, where higher density uses within Neighbourhoods are directed to Corridors, development will be required to have regard for the character of the Neighbourhoods and provide appropriate transitions in height, built form and density to the surrounding lands (Section 5.4.5).

The Dundas Street Corridor in this location is planned for a mid-rise built form that is compact, transit supportive and pedestrian oriented. The proposed building fronting onto Dundas Street West does not meet the 45 degree angular plane (in accordance with the City's terms of reference) and should be reduced in height to a maximum of 14 storeys. The proposed 18 storey building that steps down to 8 storeys that is proposed at the north end of the property directly abuts 2 storey detached dwellings and should be lowered in height to provide a more appropriate transition to the existing neighbourhood. Although the proposed 32 storey building meets the angular plane requirements, it does not provide for an appropriate scale within the neighbourhood as it would be much taller than anything existing or planned in this area.

#### *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 residential and retail commercial. The surrounding lands are designated **Residential High Density** to the east and west, which permits residential apartment dwellings, **Mixed Use** and **Residential High Density** to the south, which permits a range of residential and retail commercial, and **Residential Low Density** to the north and west which permits detached dwellings.

The proposed buildings have been oriented with the 20 storey building fronting on the north side of Dundas Street West, the 32 storey building behind it towards the centre of the site and the 18 storey building that steps down to 8 storeys is furthest north and closest to the existing low density residential neighbourhood. The subject site is located in the Cooksville Focus Area of the Dundas Connects Master Plan and has a minimum height of 3 storeys and a maximum height of 12 storeys for these properties. Further to the maximum height requirements, Dundas Connects requires that proposed buildings within the Cooksville Focus Area meet a 45 degree angular plane from south side of Dundas Street West, in accordance with our terms of reference.

The proposed heights far exceeds the maximum height of 8 storeys permitted in the Cooksville Neighbourhood Character Area and the maximum 12 storeys contemplated in the Dundas Connects Master Plan and are not in keeping with the existing or planned context for the area. After a detailed analysis of the materials submitted in support of this application, staff are not able to support the proposed building heights.

MOP requires that infill development within Neighbourhoods be designed to respect the existing and planned character of the area, provide appropriate transitions to neighbouring uses (Sections 9.1.3, 9.1.5 and 9.2.1.4 and 9.2.2). MOP further requires that appropriate height and built form transitions will be required between sites and their surrounding areas (Section 9.2.1.10). There are additional policies requiring that developments will provide a transition in building height and form between Intensification Areas and adjacent Neighbourhoods with lower density and heights. (Section 9.5.1.5)

MOP Section 9.2.1.16 requires that tall buildings will minimize adverse microclimatic impacts on the public realm and private amenity areas. The proposed development results in unacceptable shadow on an identified "no impact" area in the rear amenity areas of the detached dwellings to the north of the subject site.

Although this site is located on an Intensification Corridor, it is also within a Neighbourhood and must have regard for the character and scale of that area. While new development need not mirror existing development, new development in Neighbourhoods will respect the scale and character of the surrounding area; minimize overshadowing and overlook on adjacent neighbours; and be designed to respect the existing scale, massing, character and grades of the surrounding area (Section 9.2.2.3).

The Dundas Street West frontage should be designed to create a sense of identity through the treatment of architectural

features, forms, massing, scale, site layout, orientation, landscaping, lighting and signage (Section 9.3.1.7).

#### *Site Access*

These applications propose to provide access to the site via a driveway along the south of the site to Dundas Street West and through the property known as 3061 Parkerhill Road to Parkerhill Road. Direct vehicular access to Dundas Street West should be avoided to promote an active and pedestrian friendly street front condition. If access to Dundas Street cannot be avoided entirely, the applicant should explore the possibility of combining the access by way of an easement with the Peel Living property to the north.

#### *Services and Infrastructure*

Based on the comments received from the applicable City Departments and external agencies, staff have not yet been provided with enough technical information to determine if the existing infrastructure is adequate to support the proposed development.

The Region of Peel has advised that there is likely adequate water and sanitary sewer capacity to service this site, but additional information is required and will be included as a condition to be fulfilled prior to removal of a "H" Holding provision.

The site is within 500 m (1,640 ft.) of the Cooksville GO station, which provides two-way, peak service and two-way off-peak

bus service to downtown Toronto. The site is also currently serviced by the following MiWay Transit routes:

- Route 1 – Dundas and Parkerhill
- Route 28 – Dundas and Confederation
- Route 101 and 101A – Dundas Express
- Route 103 – Hurontario Street

There is a transit stop on Dundas Street West within 60 m (196.8 ft.) of the site.

There are a variety of convenient shopping opportunities including grocery stores, pharmacies and banks in the surrounding area. The site is serviced by parks, including Parkerhill Park, Brickyard Park, and Sgt. David Yakichuk Park. There are also a number of elementary, middle and secondary schools in the area.

While some intensification of this site is appropriate, these applications are not consistent with the policies of MOP in terms of the planned character, scale, height, and shadow impacts.

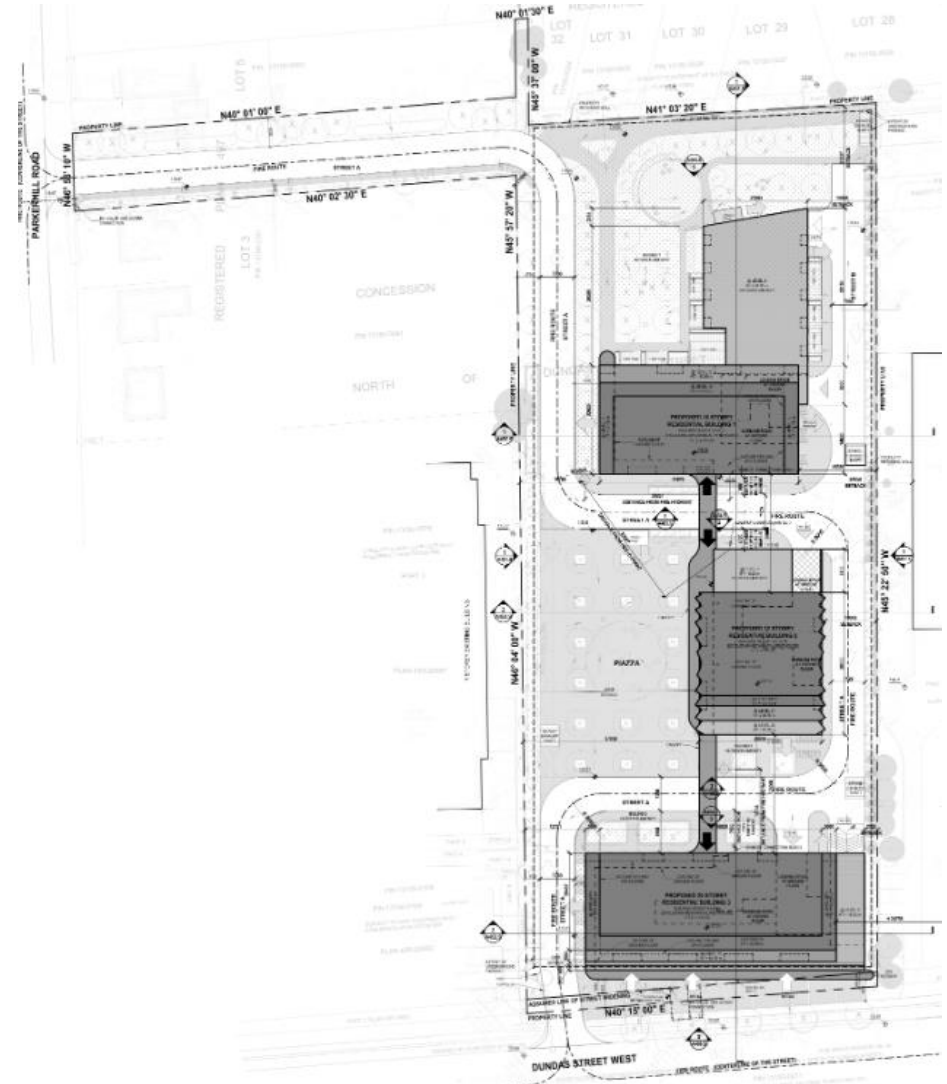
## **8. Revised Site Plan and Elevations**

The applicant has provided a revised site plan and elevations, dated November 23, 2022, as follows:

- The owners have acquired additional property at 3061 Parkerhill Road and have relocated a proposed access from

Confederation Parkway to Parkerhill Road (proposed access to Dundas Street West remains)

- The internal driveway has been rerouted away from the piazza
- The amenity area has increased from 5 410.5 m<sup>2</sup> (58,238.1 ft<sup>2</sup>) to 5 448.4 m<sup>2</sup> (58,646.1 ft<sup>2</sup>)
- The non-residential gross floor area has increased from 530.70 m<sup>2</sup> (5,712.4 ft<sup>2</sup>) to 576.90 m<sup>2</sup> (6,209.7 ft<sup>2</sup>)
- The number of parking spaces have increased from 814 to 826
- The floor space index (FSI) has decreased from 4.19 to 3.78 due to the addition of the Parkerhill Road property
- No change has been made to the proposed building heights



Revised Site Plan

## 9. Zoning

The existing **RA1-40 zone** permits only the existing non-conforming uses on the site. The proposed **RA5 – Exception zone** (Apartment) is the appropriate zone to accommodate the proposed development, however, the proposed variances to the base zone are excessive and result in over-development of the site.

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

### Proposed Zoning Regulations

Zone Regulations	General Provisions and/or Zone Regulations	Proposed RA5 – Exception Zone Regulations
<b>General Provisions – Minimum Separation Distance</b>	All building and structures containing a use in Table 2.1.2.1.1 – Minimum Separation Distance from Residential Zones, shall comply with the applicable minimum separation distance	Delete lines 1.0 and 3.0 of Table 2.1.2.1.1

Zone Regulations	General Provisions and/or Zone Regulations	Proposed RA5 – Exception Zone Regulations
<b>General Provisions – Centreline Setbacks</b>	Where a lot abuts a right-of-way or a 3.0 m (9.8 ft.) reserve abutting a right-of-way identified on Schedules 2.1.14(1) and (2) of this Subsection, the minimum distance required between the nearest part of any building or structure to the centreline of the right-of-way shall be as contained in Table 2.1.14.1 – Centreline Setbacks  42.0 m (137.8 ft.) ROW – 21.0 m (68.9 ft.) + required setbacks	Shall not apply
<b>General Provisions – Rooftop Balcony</b>	A rooftop balcony shall be set back 1.2 m (3.9 ft.) from all exterior edges of	Shall not apply

Zone Regulations	General Provisions and/or Zone Regulations	Proposed RA5 – Exception Zone Regulations
	<p>a building or structure</p> <p>Notwithstanding Article 2.1.30.1 – a setback for a rooftop balcony may be 0.0 m (0.0 ft.) where the exterior edge of the building faces a street and the building is located in a non-residential zone; (2) the exterior edge of the rooftop balcony does not abut a Residential Zone and the building is located in a non-residential zone</p>	
<b>Parking, Loading and Stacking – parking requirements – Apartments</b>	<p>Precinct 3 for Condominium Apartments requires:</p> <p>1.0 residential spaces per unit,</p>	<p>0.75 residential spaces per unit</p>

Zone Regulations	General Provisions and/or Zone Regulations	Proposed RA5 – Exception Zone Regulations
	<p>0.2 visitor spaces per unit, and</p> <p>4.0 spaces per 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>) for retail</p>	<p>0.1 shared visitor and non-residential spaces per unit</p>
<b>Parking, Loading and Stacking – parking requirements – Accessible Parking</b>	<p>Minimum number of required accessible parking spaces:</p> <p>1.0 space plus 3% of the total number of required visitor spaces</p>	<p>20 spaces</p>
<b>Parking, Loading and Stacking – parking requirements – Loading Spaces</b>	<p>Greater than 250 m<sup>2</sup> (2,690.9 ft<sup>2</sup>) less than 2 350 m<sup>2</sup> (25,295.2 ft<sup>2</sup>): 1 space</p>	<p>3 spaces (combined)</p>
<b>Residential Zones – Permitted Uses</b>	<p>Apartment          Long-term Care Building          Retirement Building</p>	<p>Retail Store          Financial Institution          Personal Service Establishment          Restaurant          Take out Restaurant</p>

Zone Regulations	General Provisions and/or Zone Regulations	Proposed RA5 – Exception Zone Regulations
		Office Medical Office Veterinary Clinic Townhouses
<b>RA5 - Maximum Floor Space Index (FSI)</b>	1.9	4.0
Maximum Dwelling <b>Height</b>	77.0 m (252.6 ft.) and 25 storeys	102.0 m (334.6 ft.) and 32 storeys (exclusive of mechanical penthouse)
Maximum GFA for each storey above 12 storeys	1 000 m <sup>2</sup> (10,764 ft <sup>2</sup> )	1 140m <sup>2</sup> (12,271 ft <sup>2</sup> )
<b>Minimum Front and Exterior Side Yard:</b>		
For that portion of the dwelling with a height less than or equal to 13.0m	7.5 m (24.6 ft.)	0.45 m (1.5 ft.) for floors 1-2 (Building 3)
For that portion of the dwelling with a height greater than 13.0m and less than or equal to 20.0m	8.5 m (27.8 ft.)	1.4 m (4.6 ft.) for floors 3-4 (Building 3)

Zone Regulations	General Provisions and/or Zone Regulations	Proposed RA5 – Exception Zone Regulations
For that portion of the dwelling with a height greater then 20.0m and less than or equal to 26.0m	9.5 m (31.3 ft.)	2.0 m (6.6 ft.) for floors 5-17 (Building 3)
For that portion of the dwelling with a height greater than 26.0m	10.5 m (34.4 ft.)	3.0 m (9.8 ft.) for floors 18- 20 (Building 3)
<b>Minimum Interior Side Yard</b>		
Where an interior side lot line, or any portion thereof, abuts an Apartment, Institutional, Office, Commercial, Employment, or Utility Zone, or any combination of zones thereof	4.5 m (14.7 ft.)	2.6 m (8.5 ft.) (Building 3)
Where an <b>interior lot line</b> , or any portion thereof, abuts a zone permitting <b>detached</b> and/or <b>semi-detached dwellings</b>	7.5 m (24.6 ft.) plus 1.0 m (3.2 ft.) for each additional 1.0 m (3.2 ft.) of dwelling height, or portion thereof exceeding 10.0 m (32.8 ft.) to a maximum setback requirement of 25.5 m (83.7 ft.)	12.0 m (39.4 ft.) where the lot line abuts a zone permitting detached and/or semi- detached (Building 3)

Zone Regulations	General Provisions and/or Zone Regulations	Proposed RA5 – Exception Zone Regulations
<p><b>Minimum Rear Yard</b></p> <p>Where a rear lot line, or any portion thereof, abuts a zone permitting detached and/or semi-detached</p>	<p>7.5 m (24.6 ft.) plus 1.0 m (3.3 ft.) for each additional 1.0 m (3.2 ft.) of dwelling height, or portion thereof exceeding 10.0 m (32.8 ft.) to a maximum setback requirement of 25.5 m (83.7 ft.)</p>	<p>7.5 m (24.6 ft.) plus 1.0 m (3.3 ft.) for each additional 1.0 m (3.2 ft.) of dwelling height, or portion thereof, exceeding 10.0 m (32.8 ft.) to a maximum setback requirement of 21.0 m (68.9 ft.) and may include a retaining wall</p>
<p>Maximum encroachment of a balcony located above the first storey, sunroom, window, chimney, pilaster, cornice, balustrade or roof eaves into a required yard</p>	<p>1.0 m (3.2 ft.)</p>	<p>1.5 m (4.9 ft.)</p>
<p>Maximum projection of a balcony located above the first storey measured from the outermost face</p>	<p>1.0 m (3.2 ft.)</p>	<p>1.8 m (5.9 ft.)</p>

Zone Regulations	General Provisions and/or Zone Regulations	Proposed RA5 – Exception Zone Regulations
<p>or faces of the building from which it projects</p>		
<p>Minimum setback from a parking structure completely below finished grade, inclusive of external access stairwells, to any lot line</p>	<p>3.0 m (9.8 ft.)</p>	<p>0.7m (2.2 ft.)</p>
<p>Minimum depth of a <b>landscaped buffer</b> abutting a lot line that is a street line and/or abutting lands with an Open Space, Greenlands, and/or a Residential Zone with the exception of an Apartment Zone</p> <p>Minimum depth of a <b>landscaped buffer</b> along any other lot line</p>	<p>4.5 m (14.7 ft.)</p> <p>3.0 m (9.8 ft.)</p>	<p>No Landscape buffer required along Dundas Street West</p> <p>Permit minimum depth of landscape buffer of 2.3 m (7.5 ft.) along all other lot lines</p> <p>No landscape buffer required at rear (north lot line)</p>



Zone Regulations	General Provisions and/or Zone Regulations	Proposed RA5 – Exception Zone Regulations
Minimum percentage of total required <b>amenity area</b> to be provided in one contiguous area	50%	30%
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 Benefit Charge (CBC)

The subject lands are currently zoned **RA1-40** (Apartments) which permits only the existing legal non-conforming uses. The applicant is proposing to change the zoning to **RA5-Exception** (Apartments) to permit three condominium apartment buildings at 32, 20 and 18 storeys in height, with commercial uses on the ground floor of the 20 storey apartment building fronting on Dundas Street West.

The *Planning Act* was amended by Bill 197, COVID-19 *Economic Recovery Act*, 2020, S.O. 2020, c. 18. Section 37 height and density bonus provisions have been replaced with a new Community Benefit Charge (CBC). As City Council passed a CBC by-law on June 22, 2022, the charge would be applied City-wide to developments that are 5 storeys or more and with 10 or more residential units whether or not there is an increase in permitted height or density.

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.

## 11. "H" Holding Symbol

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

- Receipt of a signed Development Agreement
- Receipt of satisfactory Architectural Drawings to reflect the agreed upon design
- Receipt of a satisfactory Sun/Shadow Study
- Receipt of a satisfactory Traffic Impact Study
- Provision for a public easement to facilitate an interconnection between the adjacent properties to the satisfaction of the City of Mississauga
- Receipt of a satisfactory Functional Servicing Report

## 12. 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.

While the applicant has worked with City departments to address some of the site plan related issues through review of the rezoning concept plan, further revisions will be needed to address matters such as height, massing, setbacks, landscape buffer and access. Through the site plan process, further

refinements are anticipated for the design along the Dundas Street West frontage.

### 13. Green Development Initiatives

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

- Rainwater Harvesting Cistern
- Stormwater Quantity and Quality Control
- Native and Water-efficient Vegetation
- Creation of Micro-Topography
- High Solar Reflectance Paving
- Tree Planting

### 14. Conclusions

In conclusion, City staff has evaluated the applications to permit to permit three condominium apartment buildings at 32, 20 and 18 storeys in height, with commercial uses on the ground floor of the 20 storey apartment building fronting on Dundas Street West 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, the redevelopment on this property with a built form higher than what exists in the area today supports general intensification policies and transit investment. However, the proposed building heights and overall design are not acceptable for the following reasons:

- The proposed height and density exceeds what is necessary in order to meet the applicable minimum density target specified by the Growth Plan
- The proposed height and built form is not consistent with the vision for this section of Dundas Street West expressed in the Local Area Plan or Dundas Connects Master Plan
- The proposal does not meet the required criteria for additional building height in the Cooksville Neighbourhood Character Area
- Approval of the applications will set an undesirable precedent for future development along the Dundas Street West corridor

While intensification beyond what is currently permitted may be appropriate for this site, the proposed height and density do not conform with the existing and/or planned function for the Cooksville Neighbourhood Character Area. Adequate justification has not been provided to expand the boundaries of the Downtown Cooksville Character Area to include this property.

The site is in a transitional location between the Downtown Cooksville Character Area and the Cooksville Neighbourhood Character Area and due to the site area and position on Dundas Street West, this site merits consideration for additional density beyond that contemplated by the Dundas Connects Master Plan.

The subject site is located on an intensification corridor with access to higher order transit, and has a large area that would

be an appropriate site for some level of intensification. Staff would like to see an application that:

- Is more in keeping with the existing and planned character of the area in terms of height and scale
- Provides a more appropriate transition to the low density neighbourhood to the west and north
- Avoids the negative shadow impact on the rear amenity spaces of the surrounding neighbourhood
- Promotes transit usage while maintaining a pedestrian scaled street edge along Dundas Street West

Provincial, Regional, and Local planning policies support some intensification on the site. Proximity to higher order transit is an important characteristic; however, a similar development with lower heights can still assist in achieving the overall goal of accommodating growth near transit while being supportive of the area's character and compatible with adjacent land uses.