

Recommendation Report Detailed Planning Analysis

Owner: 30 Eglinton Avenue West Limited (c/o Crown Property)

30 Eglinton Avenue West

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1. Community Comments

Comments from the public at the community and public meeting were generally directed towards building heights, density and increased traffic. Below is a summary and response to the specific comments heard.

Comment

The proposal will further add to the traffic congestion and pedestrian and vehicular safety concerns in the area.

Response

In support of the proposed development, a traffic impact study (TIS) was submitted, which analyzed current and projected traffic volumes on the neighbouring street network as a result of the development. The Transportation and Works Department have reviewed the TIS, in addition to obtaining a peer review of the TIS from R.J. Burnside & Associates. Further information is requested from the applicant prior to staff making a determination on the appropriateness of the development from a traffic perspective.

Comment

The proposal is too high and too dense.

Response

The original application proposed three apartments with heights of 45, 45 and 37 storeys containing 1,577 dwelling units. Staff raised concerns with the built form, including the overall height of the buildings. A revised submission was made by the applicant reducing the three apartments to 34, 32 and 28

storeys containing 1,322 dwelling units. Staff maintain concerns with the proposed built form and height of the proposed buildings.

Comment

The proposal will cause disruption when construction occurs on the project.

Response

It is anticipated that there will be some level of disruption to the area resulting from construction activity occurring on the subject property. A Construction Management Plan 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 operate in residential areas.

Comment

The proposed buildings will block views and create negative shadow impact on adjacent apartment buildings.

Response

In support of the proposal, a sun shadow study analysis was submitted. With respect to neighbouring properties, it was determined that the proposal met the standards for sun shadow studies as it relates to shadowing on adjacent residential private outdoor amenity spaces. However, the proposal does not meet the Standards for Sun Shadow Studies with respect to shadowing the public realm of adjacent streets. With respect to blocking views, the proposed apartment buildings are

complying with the 30 m (98.4 ft.) separation distance to adjacent apartment buildings. Further, adjacent property/unit owners are not afforded a right of view across an adjacent property.

Comment

There will be increased wind impacts associated with the proposed buildings.

Response

In support of the proposal, a Pedestrian Wind Study was submitted, which analyzed the wind generated as result of the proposed buildings. City staff have reviewed the Study and determined no issues with the proposal, but further review, including mitigation measures would take place during the site plan approval process.

Comment

The proposed development will place an overload on existing sanitary, storm drainage systems.

Response

In support of the proposal, a Functional Servicing and Stormwater Management Report was submitted, which analyzed the water, sanitary and stormwater impacts associate with the development. With respect to water and sanitary, the Region of Peel has indicated that 300/375 mm (11.8/14.8 in.) diameter sanitary sewer servicing the site does not have the capacity to accommodate the proposed development. The sanitary sewer must be upsized to accommodate the extra flows from the site and will be determined at the detailed design stage.

With respect to stormwater impacts, the City's Transportation and Works Department have not indicated any major concerns from a capacity perspective. However, further review will occur during the detailed design stage.

Comment

There is insufficient parkland in the area to accommodate the proposed development.

Response

The City's Community Services Department has identified a deficiency of parkland in the Uptown Major Node. The applicants are proposing a POPS (Privately Owned Publicly Accessible Space) on the southwest corner of the site. Community Services is supportive of said POPS but will not accept it as a contribution towards the parkland dedication requirements for the site. If the application is approved, prior to the issuance of building permits for each lot or block, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O, c.P. 13, as amended) and in accordance with City's Policies and By-laws. Further, Community Services is pursuing parkland on other properties in the Node to meet the current and future needs of the residents in the area.

Comment

There are insufficient schools in the area to accommodate the proposed development.

Response

The Dufferin Peel Catholic District School Board has indicated there is sufficient capacity in their schools to accommodate the anticipated needs of the development.

The Peel District School Board has indicated there is insufficient elementary school capacity within the Uptown Major Node. As a result, they are pursuing a new elementary school on another development site in the 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 March 29, 2021. A summary of the comments are contained in the Information Report attached as Appendix 1. Below are updated comments.

Transportation and Works Department

Comments updated on January 24, 2023, state that technical reports and drawings have been reviewed to ensure engineering matters related to noise, grading, servicing, stormwater management, traffic and environmental compliance have been satisfactorily addressed and confirm feasibility of the project, in accordance with City requirements.

Based on a review of the materials submitted to date, the owner has been requested to provide additional technical details and revisions to confirm the feasibility of the development proposal from an engineering standpoint. 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. 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 Removal application (or OLT decision).

Noise

A Noise and Vibration Impact Study prepared by RWDI, dated March 28, 2022 was 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, light rail, aircraft traffic, nearby commercial properties and mechanical equipment of other residential buildings in the vicinity. Noise mitigation measures will be required. Further information regarding locations of and noise assessment at the proposed Outdoor Living Areas is required in order to determine the feasibility of the proposed mitigation measures and to confirm how noise levels from light rail and other stationary sources may affect this development.

Stormwater

A Functional Servicing Report (FSR), prepared by Counterpoint Engineering dated March 25, 2022 was submitted in support of the proposed development. The report indicates 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. In addition, the applicant is proposing to construct a new storm system to service the development lands, with an outlet to existing municipal infrastructure.

The applicant is required to provide further technical information in order to demonstrate:

- The feasibility of the proposed outlet
- The feasibility of the proposed storage tank and quality treatment
- That groundwater generated from the proposed underground parking will be managed onsite with no impact to the City's storm system.

Traffic

Two Traffic Impact Study (TIS) submissions were provided by BA Group Consulting Ltd. in support of the proposed development and a full review and audit of each was completed by staff. The study concluded that the proposed development is anticipated to generate approximately 400 (80 in, 320 out) and

400 (255 in, 145 out) two-way site trips for the weekday AM and PM peak hours in 2025 respectively. The TIS requires further clarification on the information provided. In addition, a qualified traffic consultant was retained to conduct a peer review on the TIS study and has additional comments that need to be addressed. The applicant is required to provide further technical information, including: an updated Traffic Impact Study; a road connection including any required easements; and, updated engineering plans and supporting documentation to confirm the feasibility of any internal and external road improvements.

Environmental Compliance

Phase I and Phase II Environmental Site Assessment reports, dated February 28, 2022 and prepared by WSP, have been submitted in support of the proposed development. However, the following is to be submitted for further review: a letter of reliance for the Phase I and Phase II Environmental Site Assessment reports and a written document, prepared by a Professional Engineer that includes a plan to decommission the wells or provide proof of well decommissioning. As the land use is changing from a less sensitive to a more sensitive use, a Record of Site Condition (RSC) is required to be filed in accordance with O. Reg. 153/04 prior to enactment of the rezoning by-law. 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.

Engineering Plans/Drawings and other Engineering Matters

The applicant has submitted a number of technical plans and drawings that need to be revised. Should this application be approved by the OLT, the required plans and drawings need to be revised/resubmitted to ensure compliance with City Standards.

Community Services

Comments updated January 19, 2023, state that the Uptown Node has an identified parkland deficiency and that there is a need for a public parkland in this development. The proposed development has included a POPS (Privately Owned Publicly Accessible Space) but does not include any unencumbered public open space.

A POPS can be supported in this development to help meet the future parkland needs. However, in keeping with the current City's parkland Conveyance By-law (137-2022), a parkland dedication credit cannot be applied towards a POPS. Therefore, prior to the issuance of building permits for each lot or block, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O, c.P. 13, as amended) and in accordance with City's Policies and By-laws will be required.

This development is approximately 45 m (148 ft.) from Hawthorne Valley Trail 9P-296), zoned **G1** (Greenlands) and includes a bridge, trail, and woodland. The site is also 140 m (459 ft.) from Kingsbridge Common Park (P-195), zoned **OS1** (Open Space - Community Park) and includes an unlit softball

diamond, natural ice rink, parking lot, play site and soccer field. This development proposal will have no significant impact on the Frank McKechnie Community Centre and Library.

Community Services will undertake a review of the design of the POPS using our internal guideline through the site plan approval process.

School Accommodation

In comments, dated January 20, 2023, the Dufferin-Peel Catholic District School Board responded that it is 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.

In comments, dated January 19, 2023, the Peel District School Board responded that it is not 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 needs to be applied for this development application.

Fire and Emergency Services

Comments updated January 23, 2023, state that the fire access route dimensions mandated by the Ontario Building Code and By-law 1036-81 do not appear to be met (e.g. 6.0 m (19.7 ft.) minimum fire route width with 12.0 m (39.4 ft.) centerline turning radius).

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 October 22, 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 represent an opportunity to intensify and increase the range of housing in the area. The proposed development represents an efficient land use pattern that avoids 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 built form policies relating to tall buildings in Mississauga Official Plan.

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.

Policies relevant to the applications include the following:

- 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) within settlement areas growth will be focused in delineated growth areas, strategic growth areas, locations with existing or planned transit.
- Section 2.2.2.3 b) directs municipalities to identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas.
- Section 2.2.2.3 c) requires municipalities to encourage intensification generally throughout the delineated built-up area.
- Section 2.2.4.2 the boundaries for major transit station areas on priority transit corridors will be delineated by upper-

and single-tier municipalities, in consultation with lower-tier municipalities.

- Section 2.2.2.3 requires municipalities to encourage intensification generally throughout the delineated built-up area.
- Section 2.2.4.3 requires major transit station areas on priority transit corridors or subway lines will be planned for a minimum density target of 160 residents and jobs combined per hectare for those that are served by light rail transit.
- Section 5.2.5.6 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.

The proposed development generally conforms to the Growth Plan as it is accommodating intensification within the built-up area and in proximity to planned transit, as well as increasing the housing supply. However, the proposed development does not provide for an appropriate built form as it relates to its scale and impact on the public realm.

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

6. Region of Peel Official Plan

Under Bill 23, the role of Regional Official Plan will change, but until that part of the legislation 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 October 22, 2021 (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 description.

The proposed development conforms to the ROP as it efficiently uses land to contribute to housing choices in the City. However, the proposal is deemed to be excessive, given the built form policies relating to tall buildings in the Mississauga Official Plan.

In November 2022, the new Peel 2051 Region of Peel Official Plan (RPOP) came into force. In keeping with the Growth Plan, RPOP identified Major Transit Station Areas (MTSAs) in the Region and developed policies and applied minimum density targets to said areas. The subject property is located within a Primary Major Station Area, which requires a minimum density target of 300 people and jobs per hectare.

The City Planning Strategies (CPS) Division has confirmed that the Uptown Major Node Character Area will exceed the minimum density targets as required by the Province within the Major Transit Station Area, based on existing developments and approved applications. While staff are generally supportive of residential intensification on this property, the degree to which

the intensification is proposed is not necessary to meet the provincial growth plan density targets in this area of the City.

7. Mississauga Official Plan (MOP)

The proposal requires an amendment to the Mississauga Official Plan Policies for the Uptown Major Node Character Area, to permit a maximum building height of 34 storeys and a Floor Space Index (FSI) of 3.96. 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:

The subject site is designated **Office – Special Site 1**, which permits major office, secondary office, post-secondary educational facilities, residential high density in combination with office uses and accessory uses. A maximum building height of 25 storeys is permitted in the Uptown Major Node Character Area. The applicant proposes to construct three apartments, 34, 32 and 28 storeys in height containing 1,332 dwelling units and 1,945 m² (20,935.8 ft²) of ground floor commercial uses. The development concept also includes a POPS at the corner of Hurontario Street and Eglinton Avenue West that is just over 3,195.5 m² (34,396.1 ft²) in size. There is an existing nine storey office building and a one storey heritage building on the property that will be retained as part of the development.

Directing Growth

The subject site is located in the Uptown Major Node Character Area and along the Hurontario Street Intensification Corridor. In accordance with MOP, intensification along the corridor is encouraged, provided that it is appropriate and of a scale that does not adversely impact the adjacent area.

In August 2022, the City adopted OPAs 143 and 144, which introduced MTSA polices relating to land use, urban design, and maximum heights. At the time of writing this report, the respective OPAs were scheduled to be considered at the Region of Peel Council session on February 23, 2023.

Generally, staff consider the site appropriate for residential intensification.

Sun Shadow Impact

In accordance with Chapter 9 (Build a Desirable Urban Form) of the MOP, tall buildings are required to: maximize sunlight on the public realm (S.9.2.1.14); demonstrate compatibility and integration with the public realm by ensuring adequate sunlight is maintained (S.9.5.1.9); and, minimize undue physical and visual negative impact relating to microclimate conditions, including sun, shadow and wind (S.9.5.3.9).

Mississauga may undertake or require studies that develop additional policies, guidelines and design control tools that may contain more specific urban form requirements (S.9.1.14).

In order to demonstrate conformity with the above noted policies, Council adopted the Standards for Sun Shadow Studies, which provides direction on the acceptability of sun/shade on the subject land, and on the surrounding context, including building facades, private and public outdoor amenity and open spaces, public parkland, sidewalks and other components of the public realm.

With respect to the public realm, the objective is to maximize the use of these spaces during the shoulder seasons. For high density residential streets (Eglinton Avenue and Hurontario Street), developments should be designed to allow for full sunlight on the opposite boulevard including the full width of the sidewalk in September as follows:

- For a total of at least 5 hours that must include the 2 hour period between: 12:12 p.m. and 2:12 p.m. and an additional 2 hour period from either 9:12 a.m. to 11:12 p.m. or from 3:12 p.m. to 5:12 p.m.

In support of the proposal, the applicant submitted a Sun/Shadow Study Analysis (March 2022) completed by BDP Quadrangle.

With respect to the proposed 32 storey apartment (Building 1) along the Eglinton Avenue West frontage, shadows are cast on the sidewalk on the north side of the street at 12:12 p.m. and 1:12 p.m., thus not meeting the criterion.

With respect to the proposed 34 storey apartment (Building 3) proposed along Hurontario Street frontage, shadows are cast on the sidewalk on the east side of the street at 1:12 pm and 2:12 p.m., thus not meeting the criterion.

In addition, Buildings 1 and 2 have floor plate sizes of 944.7 m² (10,168.7 ft²) and 885 m² (9,526.1 ft²) respectively, which exceed the generally accepted floor plate for tall buildings of 800 m² (8,611.1 ft²). The buildings are oriented in a manner that

does not maximize sunlight on the public realm, as the broad side of the buildings are located along the street frontages.

Physical Impact / Scale

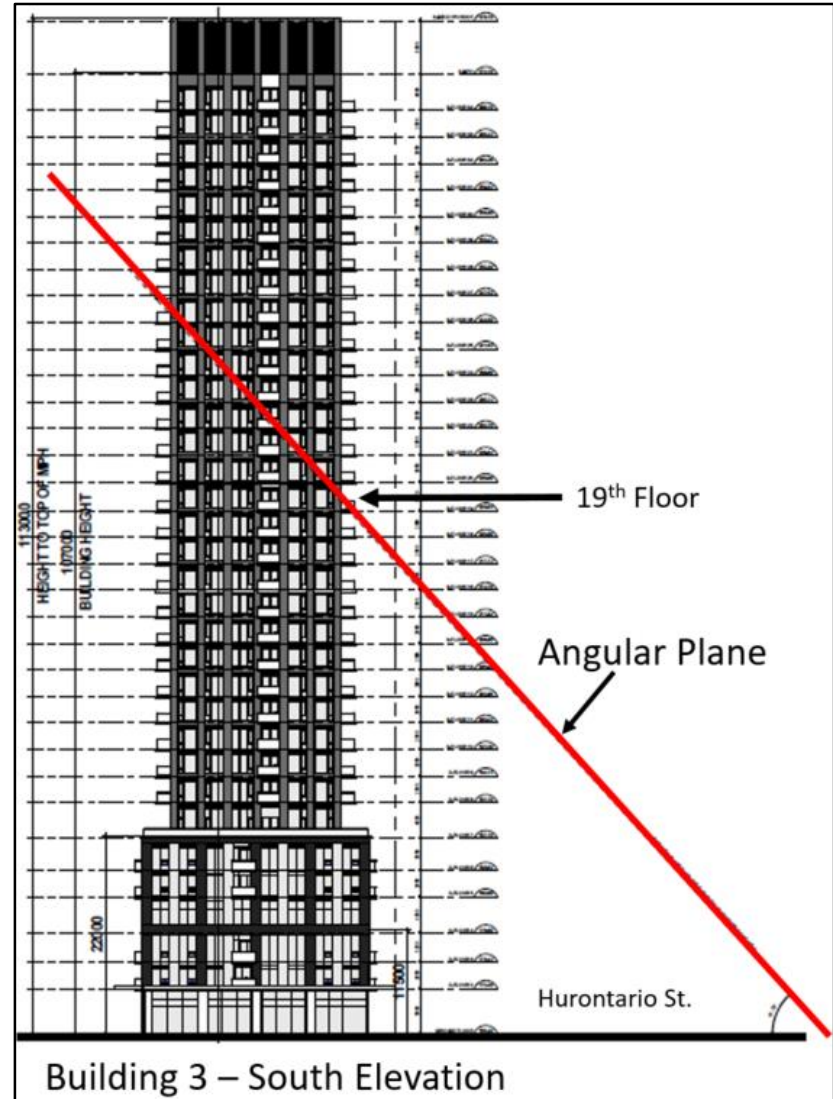
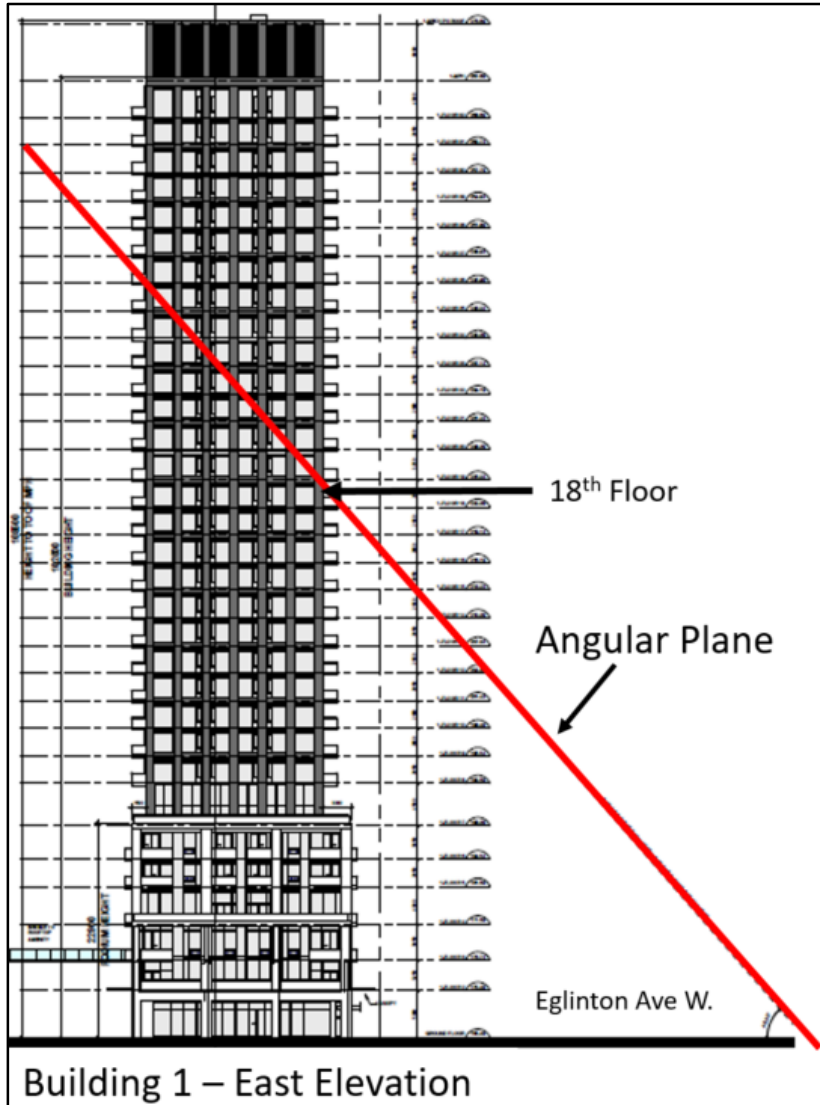
In accordance with Chapter 9 (Build a Desirable Urban Form) of MOP, tall buildings will address pedestrian scale through building articulation, massing and materials (S.9.2.1.15), and will be pedestrian oriented through the design and composition of their facades, including their scale, proportion, continuity, rhythms, texture, detailing and materials (S.9.5.3.7).

In accordance with Chapter 13 (Major Nodes) of MOP, the maximum building height of 25 storeys will apply (S.13.1.1.2). Proposals for heights more than 25 storeys will only be considered where it can be demonstrated to the City's satisfaction, that an appropriate transition in heights that respects the surrounding context will be achieved and the development proposal is consistent with the policies of this plan (S.13.1.1.3).

As previously noted, all three buildings exceed the maximum building height of 25 storeys. With respect to transition and scale, the Standards for Sun Shadow Studies contain angular plane criterion for Eglinton Avenue and Hurontario Street. To meet the standard, new buildings sited on the subject property are required to meet an angular plane from the closest edge of the curb on the opposite side of Eglinton Avenue West and Hurontario Street of 48.9 degrees and 47.4 degrees, respectively.

In support of the proposal, the applicant submitted architectural drawings illustrating the angular plane requirements along the street frontages.

Based on the current proposal, neither building meets the angular plane requirements of the City (see below elevations).



It should be noted that it is possible to accommodate tall buildings along the Eglinton Street West and Hurontario Street frontages while meeting the sun shadow and angular plane criterion relating to the public realm. If the buildings remained in their current locations, they would need to provide step-backs where the building intersects with the angular plane.

Services and Infrastructure

Based on the comments received from the applicable City Departments and external agencies, the existing infrastructure is not adequate to support the proposed development.

The Transportation and Works Department has indicated that the applicant is required to provide further technical information in order to demonstrate the feasibility of the storm water management infrastructure.

The Region of Peel has advised that there is adequate water, but not adequate sanitary sewer capacity to service this site. The applicant will be required to upsize the sanitary sewer to service the site.

The site is located along a future Light Rail Transit (HLRT) line on Hurontario Street, with a future LRT stop directly adjacent to the subject property at the corner of Eglinton Avenue and Hurontario Street. The site is currently serviced by the following MiWay Transit routes:

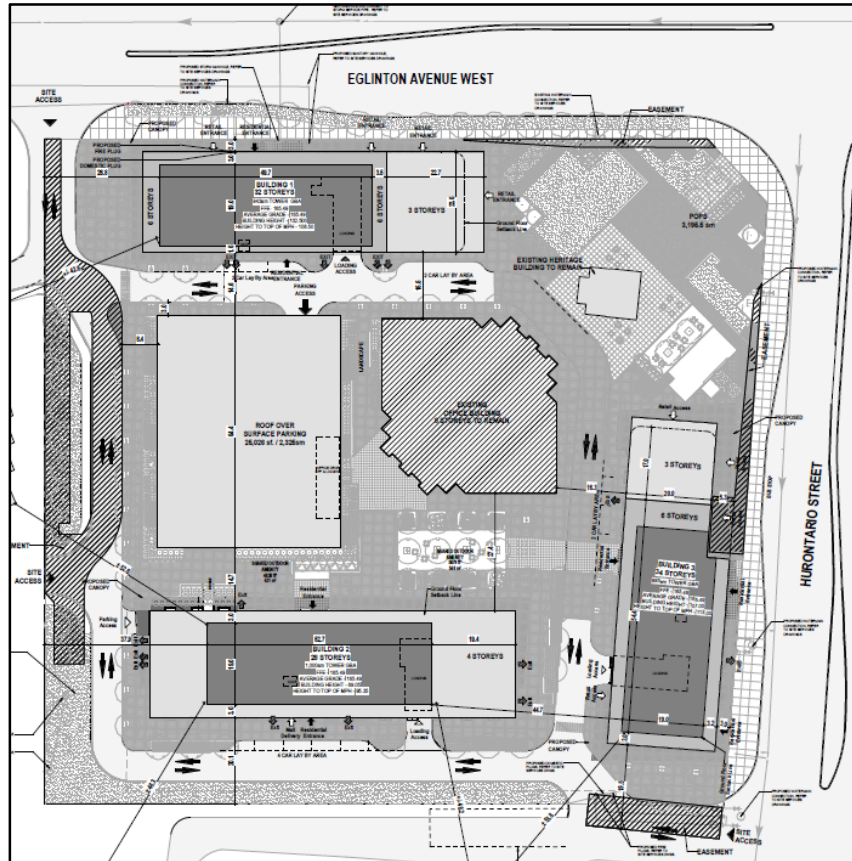
- Route 103 – Hurontario Express
- Route 19 – Hurontario Street
- Route 19A – Hurontario-Britannia
- Route 19B – Hurontario-Cantay
- Route 19C – Hurontario-Heartland
- Route 35 – Eglinton-Ninth Line
- Route 35A – Eglinton-Tenth Line
- Route 7 – Airport
- Route 87 – Meadowvale-Skymark
- Route 34 – Credit Valley

The surrounding area contains a mix of residential and commercial uses located on Hurontario Street and Eglinton Avenue. The character contains a variety of residential building types, including apartment buildings developed in the 1990s and 2010s.

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

8. Revised Site Plan and Elevations

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



9. Zoning

The proposed amended **O1-8** (Minor Office) zone is the appropriate zone to accommodate the proposed development given that an apartment is a permitted use in this zone and the applicants are retaining the nine storey office building thereon. However, the proposed amendments to the base zone does not comply with the official plan.

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

Proposed Zoning Regulations

Zone Regulations	O1-8 zone Regulations	Proposed amended O1-8 Zone Regulations
Additional permitted uses	<p>Overnight Accommodation</p> <p>Apartment</p> <p>Retail commercial use accessory to an office</p> <p>Retail commercial use accessory to overnight accommodation</p> <p>Restaurant in the existing historic building identified on Schedule "B" of this Exception</p>	<p>Overnight Accommodation</p> <p>Apartment</p> <p>Retail commercial use accessory to an office</p> <p>Retail commercial use accessory to overnight accommodation</p> <p>Restaurant in the existing historic building identified on Schedule "B" of this Exception</p> <p>Passive Recreational Use</p> <p>Parking Structure</p>
Maximum Floor Space Index (FSI)	0.5	3.96
Minimum Front Yard	92.0 m (301.8 ft.)	3.0 m (9.8 ft.)
Minimum Exterior Side Yard	94.0 m (308.4 ft.)	3.0 m (9.8 ft.)
Minimum Landscape Buffer	4.5 m (14.8 ft.)	0.0 m (0.0 ft.)

Zone Regulations	O1-8 zone Regulations	Proposed amended O1-8 Zone Regulations
Maximum Dwelling Units	220	1,332
Maximum Height	25 storeys	34 storeys
Minimum number of parking spaces	0.2 visitor spaces per unit	0.15 visitor spaces per unit
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 **O1-8** (Minor Office) which permits apartments, overnight accommodation, retail commercial use accessory to an office, retail commercial uses accessory to overnight accommodation, financial institutions, medical offices, offices, commercial schools, veterinary clinics and a restaurant in an existing historic building. The applicant is proposing to amend the **O1-8** (Minor Office) zoning to permit three apartments, 34, 32 and 28 storey in height, with 1,945 m² (20,935.8 ft²) of ground floor commercial uses, in addition to the uses already permitted by the zone.

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 Provision

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

- Receipt of satisfactory Architectural Drawings to reflect the agreed upon design and noise barriers
- Receipt of a satisfactory Functional Servicing and Stormwater Management Report
- Receipt of a satisfactory Noise and Vibration Report
- Receipt of a satisfactory Traffic Impact Study
- Receipt of a satisfactory executed Development Agreement
- Receipt of satisfactory land dedications and easements
- Receipt of satisfactory affordable housing contributions
- Receipt of a record of site condition
- Receipt of Hydrogeological Investigation Report.

12. Site Plan

Prior to development of the lands, the applicant will be required to obtain site plan approval. A site plan application (SP 22-15) was submitted concurrently with the official plan amendment and rezoning application.

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

13. Conclusions

In conclusion, City staff has evaluated the applications to permit three apartments, 34, 32 and 28 storeys in height containing 1,332 dwelling units and 1,945 m² (20,935.8 ft²) of 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. Based on review of the applicable Provincial, Regional and Municipal policies, the redevelopment of the site for tall buildings supports general intensification policies and supports transit investment.

However, through the submission material, the applicant has not justified how the current proposal conforms to the aforementioned MOP policies relating to height, sun shadow impact, scale and transition. The applicant has also not demonstrated the need for additional density on this site in

relation to Provincial Growth Plan targets. Generally, staff have no objection to residential intensification on this site, provided conformity with the sun shadow, angular plane and urban design polices of MOP are achieved. Given all the above, the development, as currently proposed, is not acceptable from a planning standpoint and should not be approved.

In addition, the City is not satisfied that the application has sufficiently demonstrated that the wastewater service has the capacity to accommodate the proposed development. Further, there are a number of other technical studies and issues that have not been properly addressed (e.g. Fire route access, Traffic Impact Study, Wind Study, Functional Servicing Report, Sun Shadow Study).