

City of Mississauga

Corporate Report



<p>Date: November 8, 2023</p> <p>To: Chair and Members of Planning and Development Committee</p> <p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building</p>	<p>Originator's file: OZ/OPA 23-4 W8</p> <hr/> <p>Meeting date: November 27, 2023</p>
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Subject

PUBLIC MEETING RECOMMENDATION REPORT (WARD 8)

Official Plan Amendment and Rezoning applications to permit two 15 storey condominium apartment buildings containing 620 units

2225 Erin Mills Parkway, east side of Erin Mills Parkway, north of Fowler Drive and south of Lincoln Green Way

Owner: Sheridan Retail Inc.

File: OZ/OPA 23-4 W8

Bill 109

Recommendation

1. That the applications to amend Mississauga Official Plan to **Residential High Density** and to amend Zoning By-law 0225-2007 to **RA4-Exception** for 2225 Erin Mills Parkway are not acceptable in their current form and should not be approved.

Executive Summary

- Official Plan and Rezoning applications have been submitted to permit two 15 storey condominium apartment buildings containing 620 units
- Planning staff support amendments to Mississauga Official Plan and Zoning By-law 0225-2007 to accommodate greater residential intensification on the property given the location within one of the City's strategic growth areas and the direction of Council-approved Mississauga Official Plan Amendment No. 115 related to the City-initiated "Reimagining The Mall" project
- The proposed built form and height are generally appropriate and consistent with the direction of Mississauga Official Plan. However, modifications and additional analysis

regarding the proposed site layouts and specific components of the condominium apartment buildings are required to demonstrate feasibility, compatibility with adjacent lands and supportable Zoning By-law standards

- The Official Plan Amendment and Rezoning applications are subject to the regulations under *Bill 109, More Homes for Everyone Act, 2022* whereby a decision must be made by Council by December 15, 2023 or a refund of application fees is required
- The Official Plan Amendment and Rezoning applications have proceeded through one review cycle by departments and agencies. A subsequent resubmission by the applicant and review by departments and agencies is not feasible to resolve outstanding issues due to the timing set forth by *Bill 109, More Homes for Everyone Act, 2022*
- Approval of the two 15 storey condominium apartment buildings is premature pending resolution of outstanding issues including:
 - Modifications to the proposed developments are required including but not limited to amenity areas, building setbacks, the design of private roads, landscaped buffers, fire access and land dedication for the widening of Erin Mills Parkway
 - Updated technical studies are required including but not limited to the Functional Servicing Report, Transportation Impact Study, Noise Impact Assessment and Pedestrian Level Wind Assessment
 - The Region of Peel has confirmed existing sanitary servicing capacity constraints for the proposed development in Zone A
 - Satisfactory justification has not been provided in support of the proposed parking supply
- In the event of an appeal to Ontario Land Tribunal, mediation or other resolution processes between City, Regional and agency staff and the applicant in order to resolve outstanding issues are appropriate

Background

Official Plan Amendment and Rezoning applications were deemed complete on August 17, 2023 and subsequently circulated for technical comments. The purpose of this report is to provide information on the applications and to provide a detailed planning analysis, including recommendations for the Planning and Development Committee's consideration.

Present Status

1. Property Information

(a) Property Location and Description

The property is located on the east side of Erin Mills Parkway, south of Lincoln Green Way and west of Fowler Drive. The property is occupied by a shopping mall known as the Sheridan Centre, three one storey commercial buildings and surface parking. The applications specifically relate to parcels on the property located southeast of the intersection of Erin Mills Parkway and

Lincoln Green Way (Zone A) and west of the intersection of Fowler Drive and North Sheridan Way (Zone G).



Aerial photo of 2225 Erin Mills Parkway including Zones A and G

Property Size and Use	
Frontages:	383.5 m (1,256.5 ft.) (Erin Mills Parkway) 688.3 m (2,258.2 ft.) (Fowler Drive)
Property Area:	12.1 ha (29.9 ac.) (Property) 0.5 ha (1.3 ac.) (Zone A) 0.5 ha (1.2 ac.) (Zone G)



Existing conditions of Zone G (view from Fowler Drive)



Existing conditions of Zone A (view from Erin Mills Parkway)

(b) Property History

- June 20, 2007 – Zoning By-law 0225-2007 came into force which zones the property **C3** (General Commercial). The **C3** zone permits non-residential uses including commercial, office and entertainment/recreation uses
- November 14, 2012 – Mississauga Official Plan (MOP) came into force which designates the property **Mixed Use** within the Sheridan Community Node Character Area
- November 5, 2020 – Committee of Adjustment application approved to permit a self-storage facility ('A' 33/20)
- December 9, 2020 – City Council adopts Mississauga Official Plan Amendment No. 115 (MOPA 115) related to the City-initiated "Reimagining the Mall" project for mall-based Community Nodes including the Sheridan Community Node. Sheridan Retail Inc. has appealed MOPA 115 as it relates to the Sheridan Community Node and the Sheridan Centre property (OLT File PL210032)
- June 28, 2021 – Site Plan Express application approved to permit renovations to the Sheridan Centre façade and upgrades to exterior walkways (SPAX 21-74 W8)
- April 4, 2023 – Community meeting held by Ward 8 Councillor, Matt Mahoney, for two 15 storey condominium apartment buildings containing 620 units
- August 17, 2023 – Official Plan Amendment and Rezoning applications to permit two 15 storey condominium apartment buildings containing 620 units deemed complete (OZ/OPA 23-4 W8)

(c) Site Context

The property is located in the Sheridan Community Node Character Area. The Sheridan Community Node contains a mix of residential and commercial uses generally located on Erin Mills Parkway, Folkway Drive, Roche Court and North Sheridan Way. Residential uses include apartment buildings and a long-term care building. Commercial uses include the Sheridan Centre, commercial plazas, convenience restaurants and a convenience retail and service kiosk with a gas bar. The Sheridan Community Node is encircled by the Sheridan Neighbourhood, Clarkson-Lorne Park Neighbourhood, Clarkson Employment Area and Sheridan Park Corporate

Centre which contain a mix of residential and non-residential uses including but not limited to detached dwellings, open space and research and development facilities.

The surrounding land uses are:

North: Utility lands owned by Hydro One, Lincoln Green Way, parkland and detached dwellings

East: Fowler Drive, open space and detached dwellings

South: Commercial building, Fowler Drive, commercial plaza and apartment buildings

West: Erin Mills Parkway and detached dwellings

2. Surrounding Development Applications

The following development applications were approved in the surrounding area of the property:

- OZ/OPA 17-1 W2 – 2132 Dundas Street West – applications approved to recognize the existing three storey retirement building (Phase 1) and to permit a four storey seniors apartment building (Phase 2)
- "A" 328/18 – 2250 Homelands Drive and 2185 Sheridan Park Drive – application approved to permit a 17 storey rental apartment building containing a total of 516 parking spaces

3. Official Plan

The property is designated **Mixed Use** and located within the Sheridan Community Node Character Area. The **Mixed Use** designation permits non-residential uses including a restaurant, retail store and secondary office and residential uses in conjunction with other permitted uses. The Sheridan Community Node is an Intensification Area in MOP and intended to accommodate intensification. The property has frontage on Erin Mills Parkway, which is identified as a Corridor in MOP. Refer to Appendix 1 for the existing and proposed Land Use Designation map in MOP.

The property is not located within a Major Transit Station Area (MTSA).

4. Zoning

The property is zoned **C3** (General Commercial), which permits commercial uses including retail, office and entertainment and recreation uses. Refer to Appendix 1 for the existing and proposed Zoning Map in Zoning By-law 0225-2007.

5. Proposed Development

(a) Description

The applicant proposes to develop Zones A and G with two 15 storey condominium apartment buildings containing 620 units and 713 parking spaces. Two levels of underground parking are proposed in Zone A and four levels of underground parking are proposed in Zone G. Private and condominium roads located partially within the boundaries of Zone A and outside of the boundaries of Zone G are proposed to connect to the developments with access from Erin Mills Parkway and Fowler Drive. The applications represent Phases 1 and 2 of the comprehensive development of the Sheridan Centre property, which entails the retention of the majority of the Sheridan Centre. Official Plan Amendment and Rezoning applications are required to permit the

proposed developments for Zones A and G. Refer to Appendix 1 for details of the proposed developments.



Renderings of the proposed 15 storey condominium apartment buildings in Zones A and G

(b) Supporting Studies

The applicant has submitted materials and studies in support of the applications which can be viewed at: <https://yoursay.mississauga.ca/development-applications-public-feedback>

(c) Green Development Initiatives

The applicant has identified that the following green development initiatives will be incorporated into the proposed developments of Zones A and G and comprehensive development of the Sheridan Centre property:

- Stormwater management best practices to increase retention and infiltration areas
- Provision of street connections and a green network to improve pedestrian and cycling comfort, safety and connectivity

Comments

The following section summarizes the various elements that were considered in developing the Planning and Building Department's position on the applications.

1. Reason for Applications

Official Plan Amendment and Rezoning applications are required to permit the proposed two 15 storey condominium apartment buildings containing 620 units.

An Official Plan Amendment is required to redesignate Zones A and G from **Mixed Use** to **Residential High Density** to permit the condominium apartment buildings with no non-residential uses. A Special Site policy is also required to permit a maximum height of 15 storeys whereas a maximum height of 4 storeys is currently permitted on the property within the Sheridan Community Node. Given MOPA 115 remains under appeal at Ontario Land Tribunal by Sheridan Retail Inc., the Official Plan Amendment applies to the in force MOP prior to

adoption of MOPA 115. Notwithstanding the status of appeal, MOPA 115 is still relevant to the review of the applications.

A Zoning By-law Amendment is required to rezone Zones A and G from **C3** (General Commercial) to **RA4-Exception** (Apartments – Exception) to permit the condominium apartment buildings with no non-residential uses. The **RA4-Exception** (Apartments – Exception) proposes alternative development standards including increased maximum densities of 4.2 Floor Space Index (FSI) (Zone A) and 6.5 FSI (Zone G), maximum heights of 15 storeys, reduced minimum building and parking structure setbacks, reduced minimum amenity areas including the absence of at grade outdoor amenity areas, reduced minimum landscaping requirements and reduced minimum vehicular and bicycle parking requirements. Refer to Appendix 1 for a comprehensive summary of the proposed Zoning By-law Amendment.

2. Policy Summary

The *Planning Act* allows any property owner within the Province of Ontario the ability to make a development application to their respective municipality in order to accommodate a particular development proposal on their property. Upon the submission of mandated technical information, the municipality is obligated under the *Planning Act* to process and consider the application within the rules set out in the Act.

The *Planning Act* requires that MOP be consistent with the Provincial Policy Statement and conform with the applicable provincial plans and Regional Official Plan. The policy and regulatory documents that affect these applications have been reviewed and assessed in the context of the applications. The following section summarizes how consistency with the applicable policy and regulatory documents cannot be confirmed at this time.

(a) Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe

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".

The applicant has not demonstrated how critical components of the proposed developments satisfy applicable City requirements through the submission of satisfactory technical studies including but not limited to a Functional Servicing Report, Noise Impact Assessment and Quantitative Wind Assessment. The applicant has also not proposed acceptable development standards or demonstrated how proposed development standards are acceptable including but not limited to compatible building setbacks, appropriate and comfortable amenity areas,

compliance with fire access requirements, vehicle and bicycle parking supply and the design of the proposed roads. Consistency with the PPS and conformity with the Growth Plan therefore cannot be confirmed at this time.

(b) Region of Peel Official Plan

General objectives of the Region of Peel Official Plan (ROP), as outlined in Section 5.3, include conserving the environment, achieving sustainable development, establishing healthy complete communities, achieving intensified and compact form and mix of land uses in appropriate areas that efficiently use land, services, infrastructure and public finances, while taking into account the characteristics of existing communities and services, and achieving an urban form and densities that are pedestrian-friendly and transit supportive.

The proposed developments generally achieve many of the objectives and policies of ROP, including directing redevelopment to the urban system, encouraging a pattern of compact forms, providing an appropriate range of housing and supporting transit-supportive opportunities for intensification (Section 5). However, there are outstanding requirements of the Region that have not been satisfied including land dedication for the widening of Erin Mills Parkway, confirmation of waste collection and confirmation of sanitary servicing capacity for Zone A. As noted in the preceding section, the applicant has also not effectively demonstrated how critical components of the proposed developments satisfy applicable City requirements through the submission of satisfactory technical studies and the provision of acceptable development standards.

(c) Mississauga Official Plan

The proposal requires an amendment to MOP for the Sheridan Community Node Character Area. Section 19.5.1 of MOP 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 MOP against the proposed development application.

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

(i) Mississauga Official Plan Amendment No. 115 – Reimagining the Mall

Council adopted MOPA 115 related to the City-initiated “Reimagining the Mall” project for mall-based Community Nodes including the Sheridan Community Node on December 9, 2020. Sheridan Retail Inc. has appealed MOPA 115 as it relates to the Sheridan Community Node and the Sheridan Centre property (OLT File PL 21003). MOPA 115 is therefore not in force. Notwithstanding the status of MOPA 115, the principles, objectives and policies of MOPA 115, which contemplate the comprehensive development of mall-based properties through the orderly development of residential and non-residential buildings in a diverse built form, a planned public road network with limited private roads comprised of animated streetscapes, and a public realm including parkland, are relevant to the review of the proposed developments in Zones A and G.

(ii) Directing Growth

The property is located in the Sheridan Community Node and is designated **Mixed Use**, which permits non-residential uses including a restaurant, retail store and secondary office and residential uses in conjunction with other permitted uses. The applicant is proposing to redesignate Zones A and G to **Residential High Density** to permit two condominium apartment buildings with no non-residential uses.

The Sheridan Community Node is an Intensification Area under MOP where growth is specifically directed. The property represents an appropriate location for intensification in the form of apartment buildings. Although the proposed development of Zone A entails the removal of existing commercial gross floor area in the form of a convenience restaurant, the planned function of the **Mixed Use** property will be maintained as the Sheridan Centre and remaining one storey commercial buildings are retained. Future development which includes the removal of the remaining one storey commercial buildings or development of surface parking should include the replacement or addition of non-residential uses in order to continue to provide a variety of retail and service uses separate from the Sheridan Centre to collectively support residents and businesses. It is the City's intent for the Sheridan Centre property to maintain its planned function as a focal point for retail and service commercial uses.

MOPA 115 currently sets forth a maximum permitted FSI of 2.25 for individual properties and the entire area of the Sheridan Community Node. The proposed FSI for Zones A and G are 4.2 (Zone A) and 6.5 (Zone G). Given MOPA 115 remains under appeal by Sheridan Retail Inc., the maximum permitted FSI of 2.25 is not in force. The proposed FSI for Zones A and G will therefore be evaluated in accordance with in force Provincial, Regional and City policies and guidelines consistent with the other proposed development standards including building height.

In accordance with MOP and MOPA 115, the proposed **Residential High Density** designation and two 15 storey condominium apartment building are appropriate on Zones A and G subject

to demonstrating compatibility with the existing and planned context of the property and surrounding lands, the adequacy of engineering services and acceptable site layouts.

(iii) Compatibility, Site Development and Road Network

Intensification is to be compatible to surrounding development and will be sensitive to the existing and planned context. MOP sets forth criteria for the review of applications proposing more than four storeys in the Sheridan Community Node including the demonstration of an appropriate transition in height that respects the surrounding context, the enhancement of the existing and planned development, the maintenance of the City structure and consistency with the policies of MOP.

(a) Microclimatic Impacts

Tall buildings, which are buildings with a height greater than the width of the street on which they front, will minimize adverse microclimatic impacts on the public realm and private amenity areas including sun, shadow and wind. Policy 9.2.1.16 of MOP notes tall buildings will minimize adverse microclimatic impacts on the public realm and private amenity areas. Policy 9.5.1.9 of MOP notes development proposals will demonstrate compatibility and integration with surrounding land uses and the public realm by ensuring that privacy, sunlight and microclimatic conditions are mitigated. Further, Policy 9.5.3.9 of MOP notes that tall buildings will minimize undue physical negative impact relating to microclimatic conditions including wind.

The applicant's Sun/Shadow Study confirms that the proposed condominium apartment buildings meet the City's shadow standards for residential private outdoor amenity spaces. Shadowing on the public realm along Lincoln Green Way and Fowler Drive could be improved through revisions to the proposed condominium apartment buildings. Additional analysis will be required to confirm that the proposed condominium apartment buildings satisfy the City's shadow standards for communal outdoor amenity areas.

The applicant's Pedestrian Level Wind Assessment, which was completed as a Qualitative Wind Assessment, concludes that the proposed condominium apartment buildings in Zones A and G are not expected to negatively affect wind patterns and the pedestrian comfort at ground level surrounding the proposed developments. The Qualitative Wind Assessment does not provide analysis specifically related to the proposed private terraces associated with dwelling units on the ground floors in Zones A and G. While the incomplete conclusions of the Pedestrian Level Wind Assessment are positive, a Quantitative Wind Assessment is required in accordance with the City's Terms of Reference for Pedestrian Wind Comfort and Safety Studies since the proposed condominium apartment buildings meet applicable criteria including proposed building heights being greater than 40 m (131.2 ft.). Justification for the submission of a Qualitative Wind Assessment despite the City's Terms of Reference for Pedestrian Wind Comfort and Safety Studies requiring a Quantitative Wind Assessment for the proposed developments has also not been provided.

(b) Building Setbacks and Landscaped Areas

Development in Zones A and G, and the Sheridan Centre property, should provide for an enhanced development layout, public realm and streetscape through a compact built form, appropriate building setbacks and landscaping. Policy 9.2.1.15 of MOP notes tall buildings will address pedestrian scale through building articulation, massing and materials. Policy 9.2.1.19 notes that the public realm and the development interface with the public realm will be held to the highest design standards.

Proposed setbacks for the condominium apartment buildings in Zones A and G should be increased in specific locations including adjacent to Erin Mills Parkway (Zone A) and Fowler Drive (Zone G). Increased setbacks will enhance the relationship and establish compatibility between the proposed condominium apartment buildings, private terraces, and the adjacent public realm, infrastructure and roads. Region of Peel and Fire Prevention Plan Examination staff also have outstanding comments related to land dedication requirements for the widening of Erin Mills Parkway and compliance with Ontario Building Code requirements for fire access which will require modifications to building setbacks (see Section 3 and Appendix 1).

Landscaped buffers are reserved for the long term growth and maintenance of landscaping, including high branching deciduous trees, coniferous trees, and shrubs and are to be unencumbered from any utilities, obstructions including underground parking structures, and restrictive easements. The proposed landscaped buffers for Zones A and G are currently encumbered by a restrictive easement, utilities and underground parking structures and are obstructed by walkways running parallel within the buffers. Revisions to the proposed development layouts of Zones A and G are required to ensure adequate, unencumbered landscaped buffers are provided in locations such as adjacent to Erin Mills Parkway, the utility lands owned by Hydro One and the proposed private road in Zone A and adjacent to Fowler Drive and the proposed private road in Zone G. The location of intake and exhaust vents in Zones A and G should also be confirmed to minimize impacts on the public realm and communal and private outdoor amenity areas.

(c) Amenity Areas

Communal amenity areas, located and designed for physical comfort and safety, are important to provide opportunity for recreational and social activities for residents of the proposed developments. The draft Zoning By-law Amendment proposes minimum amenity areas of 498 m² (5,360 ft²) in Zone A and 742 m² (7,986.8 ft²) in Zone G with no outdoor amenity areas at grade. The resulting minimum amenity area rate for Zones A and G is 2 m² (22 ft²) per unit whereas the minimum amenity area requirement under Zoning By-law 0225-2007 is 5.6 m²/unit (60.3 ft²/unit). Additional amenity areas, including outdoor amenity areas designed for physical comfort and safety, should be provided to support the future residents of the proposed developments. Additional analysis in the form of updated technical studies including a Noise Impact Assessment, Sun/Shadow Study and Pedestrian Level Wind Assessment will be required to confirm any proposed outdoor amenity areas are not subject to adverse impacts.

(d) Road Network

MOP and MOPA 115 provide direction for the establishment of public roads to create a desirable urban form and facilitate the orderly, comprehensive development of the Sheridan Centre property. Public roads are the public spaces which connect buildings, structures, parks, communities and other public amenities such as community facilities while allowing for the provision of necessary infrastructure. MOPA 115 specifically seeks to implement this direction through the requirement for a fine-grained, primarily public road system with numerous intersections to provide connectivity and create appropriately sized development blocks. Public roads will be required as part of the development applications for future phases of the comprehensive development of the Sheridan Centre property. For Zones A and G, private roads could be permitted subject to satisfying City criteria including the provision of public easements, meeting City right-of-way and design standards and ensuring that the proposed roads can be integrated with the existing private circulation network and the future public road network.

Confirmation is required regarding how access will be legally facilitated on the proposed roads for residents and visitors of the condominium apartment buildings in Zones A and G and visitors of the existing Sheridan Centre property and associated private drive aisles. The proposed roads must be publicly accessible for vehicular and pedestrian access. Additional information and documentation, including a draft reference plan, is required to confirm the granting of public easements.

The proposed roads should create pedestrian-oriented streetscapes which serve as integral components to Zones A and G and to the comprehensive development of the Sheridan Centre property. Policy 9.2.1.21 of MOP notes that development will contribute to pedestrian-oriented streetscapes and have an urban built form that is attractive, compact and transit supportive. Policy 9.2.1.29 of MOP notes that development will have a compatible bulk, massing and scale of built form to provide an integrated streetscape. To achieve an appropriate right-of-way design and pedestrian-oriented streetscape, Urban Design and Transportation and Works staff note that the proposed roads should meet City right-of-way and design standards including a minimum 2 m (6.6 ft.) sidewalk, a minimum 3 m (9.8 ft.) unencumbered landscaped buffer to accommodate street trees and associated landscaping, lighting and furniture, active transportation infrastructure and on-street parallel parking where required. Justification for the proposed pavement width of the roads, which includes confirmation of satisfactory turning movements, is also required. Revisions to the proposed roads are required including the removal of perpendicular on-street parking spaces, the provision of unencumbered, wider landscaped buffers and the inclusion of lighting and street furniture.

Lastly, the proposed roads should be co-ordinated to connect with the existing network of aisles and driveways on the Sheridan Centre property as an interim condition given the comprehensive development of the Sheridan Centre property is not imminent. The application materials do not consistently and clearly demonstrate how the proposed roads for Zones A and G will be integrated within the existing network. For example, in Zone A, the proposed road runs parallel and directly west of an existing aisle on a technical plan. Additional information and updated drawings are required to confirm the proposed interim network of private and

condominium roads, aisles and driveways on the Sheridan Centre property is clear, safe and appropriate.

(iv) Services and Infrastructure

The Region has confirmed that there are sanitary capacity constraints for the proposed development in Zone A. Further, the applicant proposes to relocate the existing sanitary sewer, which currently runs within Zone A and is subject to a restrictive easement. The applicant has not provided the required information to Region and Transportation and Works staff to support the relocation of the existing sanitary sewer including the feasibility of accommodating the sanitary sewer in a new location. The Region has confirmed that the sanitary infrastructure for Zone G and water infrastructure for Zones A and G are adequate. Additional information is required regarding stormwater management given the adjacency to Erin Mills Parkway.

Additional information is required to confirm the proposed developments meet the Region's waste collection requirements including but not limited to the identification of waste collection rooms and the confirmation of overhead clearances and widths and lengths of collection points and adjacent areas to accommodate waste collection vehicles.

The following community services are located in the surrounding area or on the property:

- Sheridan Library
- Lincoln Hollow Park
- Dean Henderson Memorial Park

The following MiWay bus routes currently service the property:

- Route 13 – Glen Erin
- Route 29 – Park Royal-Homelands
- Route 71 – Sheridan-Subway
- Route 110 – University Express

There is a bus stop located on Erin Mills Parkway within 50 m (164 ft.) of Zone A and additional bus stops located greater than 50 m (164 ft.) from Zone A along Lincoln Green Way and Erin Mills Parkway. There is a transit terminal on Fowler Drive adjacent to Zone G. Revisions to drawings are required to identify the location of existing transit infrastructure within Zones A and G and to ensure compatibility with the proposed condominium apartment buildings and private terraces.

For the above reasons, consistency with MOP, ROP, the Growth Plan and the PPS cannot be confirmed.

(d) Zoning By-law

A table summarizing the proposed amendments to Zoning By-law 0225-2007 can be found in Appendix 1.

(e) Community Benefit 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 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 applications are for more than 5 storeys and contain 10 or more residential units in total, the CBC is applicable and will be payable at the time of first building permit.

(f) "H" Holding Provision

It was determined that approval of the applications with an "H" Holding Provision would not be appropriate at this time as there are outstanding issues related to the feasibility of the proposed developments, compatibility with adjacent lands and the appropriateness of proposed Zoning By-law standards. Should these applications be approved by Council (or OLT), staff will request an "H" Holding Provision which can be lifted upon:

- Receipt of an executed Development Agreement which includes the securement of municipal infrastructure and clauses
- Receipt of updated technical studies, including a Transportation Impact Study and Noise Impact Assessment, and revised plans and drawings to the satisfaction of Planning and Building and Transportation and Works Departments, Region of Peel and other applicable agencies
- Receipt of updated architectural plans including confirmation of required noise mitigation features to the satisfaction of Planning and Building and Transportation and Works Departments
- Provision of satisfactory access arrangements interconnecting Zones A and G with the adjacent lands
- Receipt of satisfactory environmental studies and documents including a Phase Two Environmental Site Assessment (ESA)
- Receipt of a Record of Site Condition (RSC)

3. Departmental and Agency Comments

The applications were circulated to all City departments and commenting agencies on August 17, 2023. The following section summarizes the comments received. Refer to Appendix 1 for detailed comments.

(a) Region of Peel

The Region does not have concerns related to the proposed land use changes for Zones A and G. Revisions are required regarding the technical aspects and studies submitted in support of the proposed developments.

A revised satisfactory Functional Servicing Report (FSR) is required, and the Region's recommendations are subject to change should the proposed population, water demand, wastewater flows, and/or servicing strategy change. Current modelling shows capacity constraints to accommodate additional flows from the proposed condominium apartment building in Zone A. There is also a Regional sanitary sewer easement in Zone A which is proposed to be relocated. Justification and additional information is required regarding the proposed easement relocation.

A satisfactory reference plan is required to confirm the gratuitous dedication of lands along Erin Mills Parkway to meet ROP requirements and the provision of a 0.3 m (1.0 ft.) reserve along the frontage of the property, except at any approved access. Additional information is required regarding the proposed access from Erin Mills Parkway and approval will be required if access is proposed to be relocated.

Additional information is required to confirm the proposed waste collection locations and layouts for Zones A and G satisfy the Region's requirements including confirmation of the location of waste collection rooms, overhead clearance for collection point areas and access routes and minimum width and approach requirements.

(b) Transportation and Works Department

Technical drawings and studies are reviewed 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 proposed developments in accordance with City requirements. Transportation and Works staff are not satisfied with the submitted technical drawings and studies in order to confirm the engineering feasibility of the proposed developments. Updates are required to the Transportation Impact Study and Noise Impact Assessment to confirm the feasibility of the proposed developments.

Parking staff require additional information for the existing and proposed retained commercial uses on the property since parking requirements are determined based on the overall property. The applicant needs to advise how the existing Sheridan Centre parking will be impacted by the proposed developments of Zones A and G. Due to the outstanding information related to the existing and retained uses on the property, Parking staff are unable to determine the overall parking requirements.

Additional technical information and revisions are required to comply with City requirements and to confirm feasibility of the proposed developments from an engineering standpoint.

(c) Community Services Department

The property is located in the Sheridan Community Node Character Area and, as established in the 2022 Parks Plan, the parkland provision standard of 1.2 ha (3.0 ac.) per 1,000 people is deficient by 5 ha (12.5 ac.) of parkland. Parkland will be required for the property in future phases in conjunction with an increase in residential units and establishment of public roads. Given the proximity of the developments to City owned parkland, a public park on the property is not required at this time however, parkland will be required at a later stage. Park Planning staff also recommend the property would benefit from at-grade private amenity space to serve daily recreational needs of future residents.

(d) Dufferin-Peel Catholic District School Board and Peel District School Board

Refer to Appendix 1 for the School Accommodations Summary by the Dufferin-Peel Catholic District School Board and Peel District School Board.

4. Affordable Housing

In October 2017 City Council approved *Making Room for the Middle – A Housing Strategy for Mississauga* which identified housing affordability issues for low and moderate incomes in the city. In accordance with the Growth Plan (2019) and Amendment No. 1 (2020), *Provincial Policy Statement* (2020), Regional Official Plan and MOP, the City requests that proposed multi-unit residential developments incorporate a mix of units to accommodate a diverse range of incomes and household sizes.

Applicants proposing non-rental residential developments of 50 units or more requiring an official plan amendment or rezoning for additional height and/or density beyond as-of-right permissions will be required to demonstrate how the proposed development is consistent with/conforms to Provincial, Regional and City housing policies. The City's Official Plan indicates that the City will provide opportunities for the provision of a mix of housing types, tenures and at varying price points to accommodate households. The City's annual housing targets by type are contained in the Region of Peel Housing and Homelessness Plan 2018-2028 <https://www.peelregion.ca/housing/housinghomelessness/pdf/plan-2018-2028.pdf>.

To achieve these targets, the City requests that a minimum of 10% of new ownership units be affordable. The 10% contribution rate will not be applied to the first 50 units of a development. The contribution may be in the form of on-site or off-site units, land dedication, or financial contributions to affordable housing elsewhere in the City. The applicant has indicated that the proposed development will provide market-based units. Affordable housing units are not proposed in the developments.

5. Next Steps

Prior to development of Zones A and G, the applicant will be required to obtain Site Plan Approval. Site Plan applications have not been submitted and will not be accepted until MOP and Zoning By-law 0225-2007 have been amended to permit the proposed developments.

Financial Impact

In accordance with the amended application processing timelines enforced through Bill 109, a municipality is required to make a decision on Official Plan Amendment and Rezoning applications within 120 days of the applications being deemed complete, otherwise the municipality is required to refund the submitted application fees to the applicant. The applications were deemed complete on August 17, 2023. Should a decision not be made on the applications by December 15, 2023, the City is required to refund the City's portion of the application fees to the applicant depending on when a decision is made, in the total amount of \$187,751.

Engagement and Consultation

1. Community Feedback

A community meeting was held by Ward 8 Councillor, Matt Mahoney, on April 4, 2023. Approximately 65 people were in attendance at the community meeting and six emails of written correspondence have been received. The following summarizes comments received on the applications:

Comment

The proposed apartment building in Zone A does not provide an appropriate transition to the adjacent neighbourhoods comprised of detached dwellings.

Response

The proposed apartment building in Zone A is located adjacent to Erin Mills Parkway, utility lands owned by Hydro One currently used for surface parking and Lincoln Green Way. The proposed apartment building is separated by Lincoln Green Way and utility lands owned by Hydro One from the detached dwellings to the north and by Erin Mills Parkway from the detached dwellings to the west. The applicant has submitted a Shadow Impact Study which satisfies the City's Standards for Shadow Studies regarding shadowing on residential private outdoor amenity spaces. Given the distance to the adjacent neighbourhoods, the height of the apartment building in Zone A, the physical buffer of Erin Mills Parkway, Lincoln Green Way and the utility lands owned by Hydro One, and the absence of adverse shadow impacts, the proposed apartment building in Zone A does not create adverse impacts on the adjacent neighbourhoods.

Comment

Approval of the proposed developments in Zones A and G will trigger future applications on the property.

Response

The property represents the prominent location in the City's mall-based Sheridan Community Node where intensification, including apartment buildings, is directed. This direction is detailed

in MOP and MOPA 115 which permits the redevelopment of mall-based properties, including the property, with a range of building types and heights including mid-rise buildings and tall buildings, a road network, open space, parkland and community infrastructure. Future applications on the property, which will include apartment buildings, are anticipated and are consistent with the direction of MOP and MOPA 115.

Comment

The Sheridan Centre property, inclusive of the Metro grocery store, provides important commercial and community benefits to surrounding residents and businesses.

Response

A development master plan for the property has been submitted as part of the applications which indicates that the majority of the Sheridan Centre, including the current location of the Metro grocery store, is proposed to be retained. It is the City's intent to ensure mall-based properties, including the Sheridan Centre property, maintain their planned function as a focal point for retail and service commercial uses including a grocery store and community facilities.

Conclusion

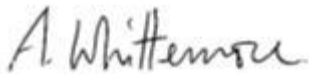
In conclusion, City staff have evaluated the applications to permit two 15 storey condominium apartment buildings containing 620 units against the *Provincial Policy Statement*, the *Growth Plan for the Greater Golden Horseshoe*, the Region of Peel Official Plan and Mississauga Official Plan. While the redevelopment of Zones A and G with two condominium apartment buildings makes efficient use of land and directs intensification to one of the City's strategic growth areas, it is premature to recommend approval of the proposed developments for reasons including:

- Modifications to the proposed developments are required including amenity areas, building setbacks, the design of private roads, landscaped buffers, fire access and land dedication for the widening of Erin Mills Parkway
- Updated technical studies are required including the Transportation Impact Study, Noise Impact Assessment, Pedestrian Level Wind Assessment and Functional Servicing Report
- The Region of Peel has confirmed existing sanitary servicing capacity constraints for the proposed development in Zone A
- Satisfactory justification has not been provided in support of the proposed parking supply

Planning staff support amendments to Mississauga Official Plan and Zoning By-law 0225-2007 to accommodate a higher level of residential intensification on the property. In the event of an appeal to Ontario Land Tribunal, mediation or other resolution processes between City, Regional and agency staff and the applicant in order to resolve outstanding issues are appropriate.

Attachments

Appendix 1: Location Map, Concept Plan and Elevations, Development Statistics, Existing and Proposed Official Plan Map, Existing and Proposed Zoning Map, Proposed Zoning Regulations, Departmental and Agency Comments and School Accommodation Summary



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

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