

42-46 Park Street East
& 23 Elizabeth Street North
City of Mississauga

PLANNING JUSTIFICATION REPORT

May 2020



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1.0 INTRODUCTION

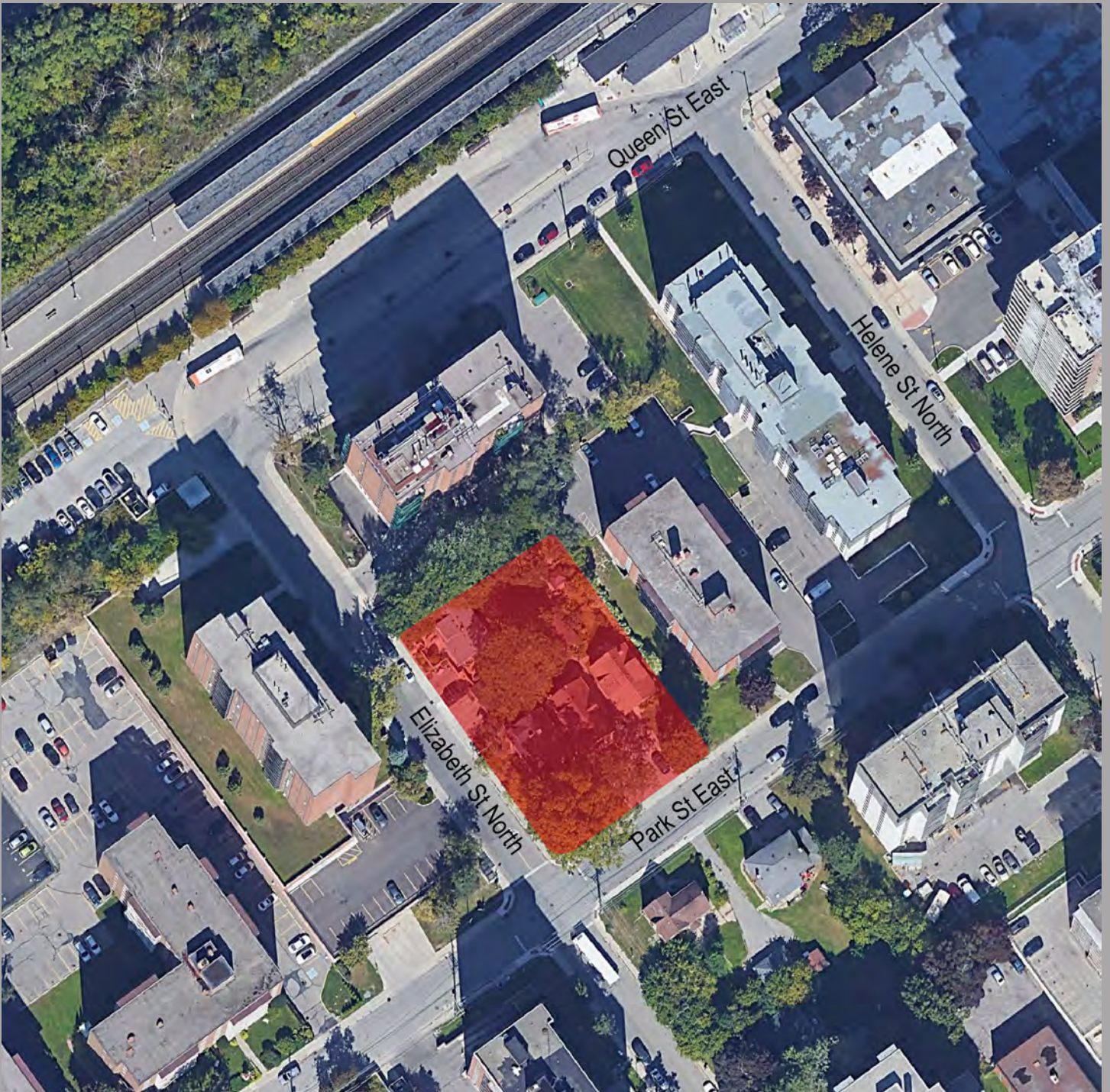


Figure 1 - Oblique Aerial Image

Edenshaw Elizabeth Developments Limited has retained Sajecki Planning Inc. to assist in securing planning approvals for the redevelopment of the properties municipally known as 42-46 Park Street East and 23 Elizabeth Street North in the City of Mississauga (the “subject lands”). The subject lands are located on the northeast corner of the intersection of Park Street East and Elizabeth Street North (see Figure 1).

This Planning Justification Report was prepared in support of an application to amend the City of Mississauga Official Plan and Zoning By-law 0225-2007 to permit the development of a 22-storey residential building on the subject lands (see Figure 2). The proposed building will be comprised of 258 residential units ranging from one bedroom to two bedrooms plus den.

This Planning Justification Report seeks to provide:

- An overview of the subject lands and their local context;
- A review of applicable Provincial, Regional, and Municipal planning policy and regulatory frameworks;
- A description of the proposed built form, uses and other development statistics;
- A summary of all supporting studies and technical reports; and
- A description and justification of the proposed amendment to the City of Mississauga Official Plan and Zoning By-law (0225-2007).



Figure 2 - Rendering of the proposed development on Park Street East

2.0 SITE AND SURROUNDINGS

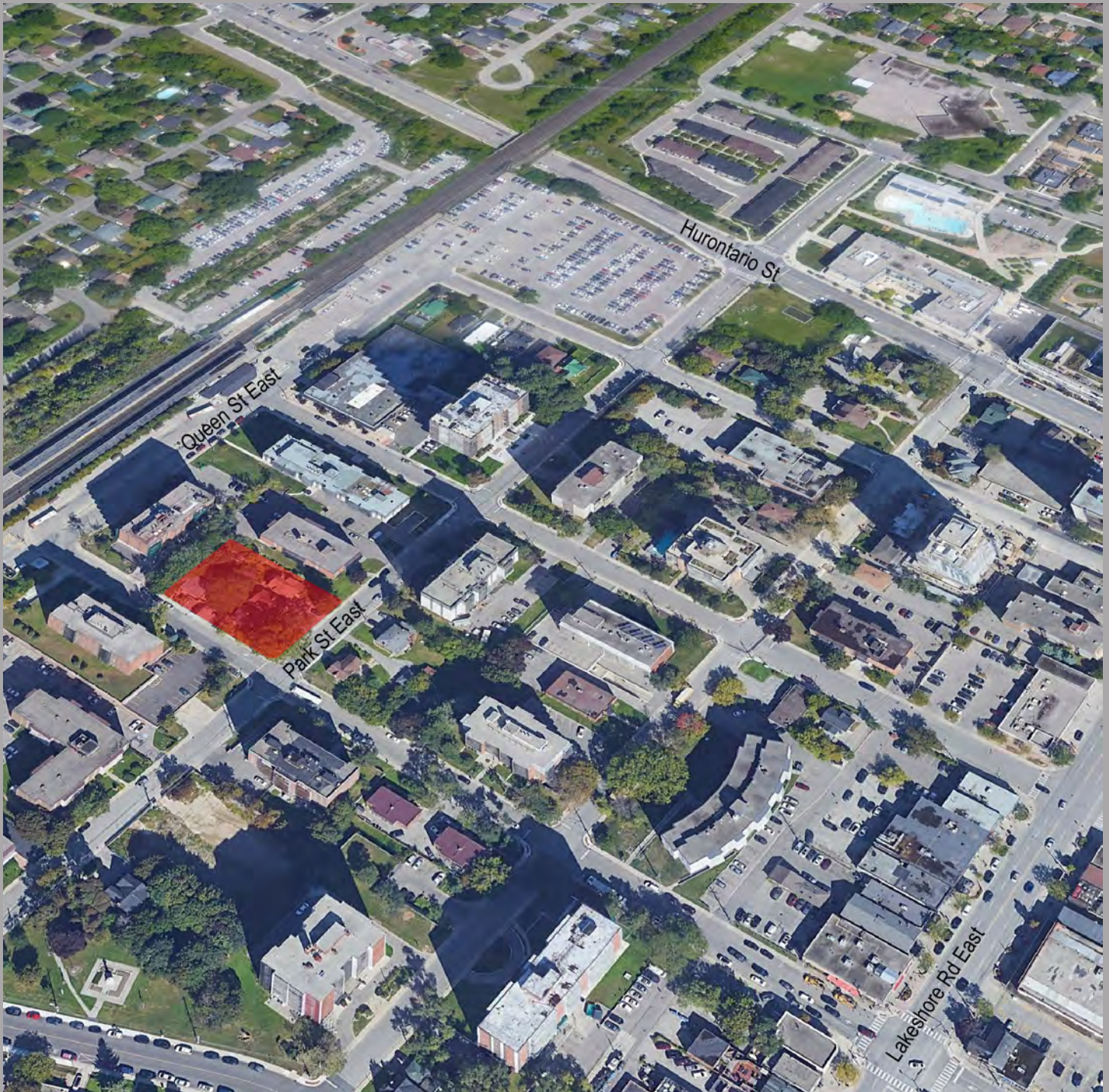


Figure 3 - Aerial Photo

2.1 Subject Lands

The subject lands are located in Ward 1 at the northeast corner of Park Street East and Elizabeth Street North (See Figure 3). The subject lands are within 100 metres of the Port Credit GO Station and located within the Port Credit Mobility Hub, Port Credit GO MTSA, Port Credit Hurontario MTSA and the area governed by the Port Credit Local Area Plan (PCLAP).

The legal description of the subject lands are: PLAN 300E PT LOT 8; PLAN 300 PT LOT 8 RP 43R2685 PARTS 1,3; PLAN 300E PT LOT 8 RP 43R2685 PART 2 PART 4; and, PLAN 300-E PT LOT 8.

These lands are rectangular in shape with a total lot area of 1,792.1 square metres (0.44 acres). Frontage on Park Street East is 33.62 metres, while frontage on Elizabeth Street North is 53.34 metres.

Four 2-storey single detached residential dwellings and two 1-storey detached garages are currently located on the subject lands. None of the existing buildings will be retained as part of the proposed development.

2.2 Planning History

There are no past official plan amendments or zoning by-law amendments affecting the subject lands. In 1982, a site plan application was completed for 42 Park Street East. It is worth noting that current zoning reflects site-specific zoning regulations passed prior to the PCLAP being approved in 2014.

2.3 Surrounding Land Uses

2.3.1 Immediate Surroundings

Mid- and high-rise residential buildings represent the primary land use immediately surrounding the subject lands. These

buildings range in height from 6 to 13-storeys and include a mixture of new and old development.

The Port Credit GO Station is located one block north (50 metres) of the subject lands on Queen Street East. There is also an 11-storey condominium building with 48 units located immediately north of the subject lands on Queen Street East.

To the east of the subject lands, there is a 6-storey apartment building with pedestrian access on Park Street East and a more recent 8-storey apartment building with pedestrian access on Helene Street West. Access to surface parking and underground garages for both buildings is via Park Street East.

South of the subject lands on Park Street East, there are two 2-storey residential dwellings as well as a 14-storey apartment building. Pedestrian access for the 14-storey apartment building is from Park Street East with vehicle access from Helene Street West.

To the west of the subject lands on Elizabeth Street North, there is a 13-storey apartment building and two surface parking lots. One lot is for the building and the other is for the Port Credit GO Station. Access to the building's underground garage is via Park Street East.

2.3.2 General Surroundings

North of Park Street East

Lands north of Park Street East up to the rail corridor primarily feature high-rise residential buildings. There are nine residential buildings ranging in heights from 6 to 27 storeys. Of these buildings, 6 are purpose-built rental apartments, 2 are condominiums and 1 is a senior's living centre. Most of the buildings have small surface parking lots as well as underground garages.



Existing dwellings on the subject lands at 42-46 Park Street East



View of existing dwellings on the subject lands looking northeast on Elizabeth Street North from Park Street East



The Port Credit GO Station located one block north of the subject lands on Queen Street



Purpose built rental and residential condominium buildings of varying heights are located to the east of the subject lands

In addition to these buildings, on Ann Street north of Park Street East, there are one one-storey, two one and a half-storey, two two-storey and one three-storey single detached dwellings. A development application on these lands has recently been approved for a 22-storey mixed use building (see Figure 5).

There are also two large parking lots servicing the Port Credit GO Station, as well as an above ground parking garage at the intersection of Helene Street North and Queen Street East. The ground floor of the parking garage has numerous commercial units including a convenience store, print shop and computer repair shop.

The Port Credit Memorial Arena is located to the west of the subject lands on Stavebank Road.

South of Park Street East

There are a variety of land uses south of Park Street East. Close to the subject lands, mid and high-rise residential buildings continue to be the primary existing land use with a mix of apartment and condominium buildings ranging from 2

to 16-storeys in height. There are also several low-rise single detached residential dwellings south of the subject lands. Most of these buildings represent older development, although there are several new developments in the area. Height and density of newer developments are further detailed in Table 1.

Cenotaph Park, Port Credit Memorial Park, the Applewood Rainbow Montessori School, the Port Credit Library and JJ Plaus Park are located to the southwest of the subject lands near the Credit River.

Closer to Lakeshore Road East, there are a few office buildings as well as new residential developments. A new condominium building at 10 Ann Street is 15-storeys in height and has 70 residential units, while a new condominium building at 1 Hurontario Street is 23-storeys in height and has 213 units.

Lakeshore Road East features a variety of low-rise commercial uses including offices, restaurants, bars and cafes. Lake Ontario is two blocks south of Lakeshore Road, with access to the Port Credit Harbour Marina, Tall Oaks Park and St. Lawrence Park. Table 2 and Figure 4 provide more information regarding access to transit and community facilities.

Table 1: Building Height and Density of Recent Developments Near Subject Lands

Address	Height	FSI
78 Park Street East, 22-28 Ann Street	22 storeys	9.2
21-29 Park Street East	15 storeys	6.3
28 Helene Street North	8 storeys	2.5
8 Ann Street	15 storeys	5.4
1 Hurontario Street	22 storeys	NA
25 Hurontario Street	7 storeys	NA

Table 2: Nearby Transit Stations and Community Facilities

Name	Distance	Walking Time	Cycling Time	Driving Time
Port Credit GO Station	50 metres	1 minute	1 minute	1 minute
Port Credit Memorial Arena	300 metres	4 minutes	2 minutes	3 minutes
Cenotaph Park	220 metres	3 minutes	1 minute	1 minute
Port Credit Memorial Park	300 metres	4 minutes	1 minute	2 minutes
Applewood Rainbow Montessori School	270 metres	3 minutes	1 minute	2 minutes
Port Credit Library	450 metres	5 minutes	2 minutes	3 minutes
JJ Plaus Park	700 metres	9 minutes	2 minutes	4 minutes
St. Lawrence Park	650 metres	8 minutes	2 minutes	3 minutes
Tall Oaks Park	950 metres	11 minutes	3 minutes	4 minutes

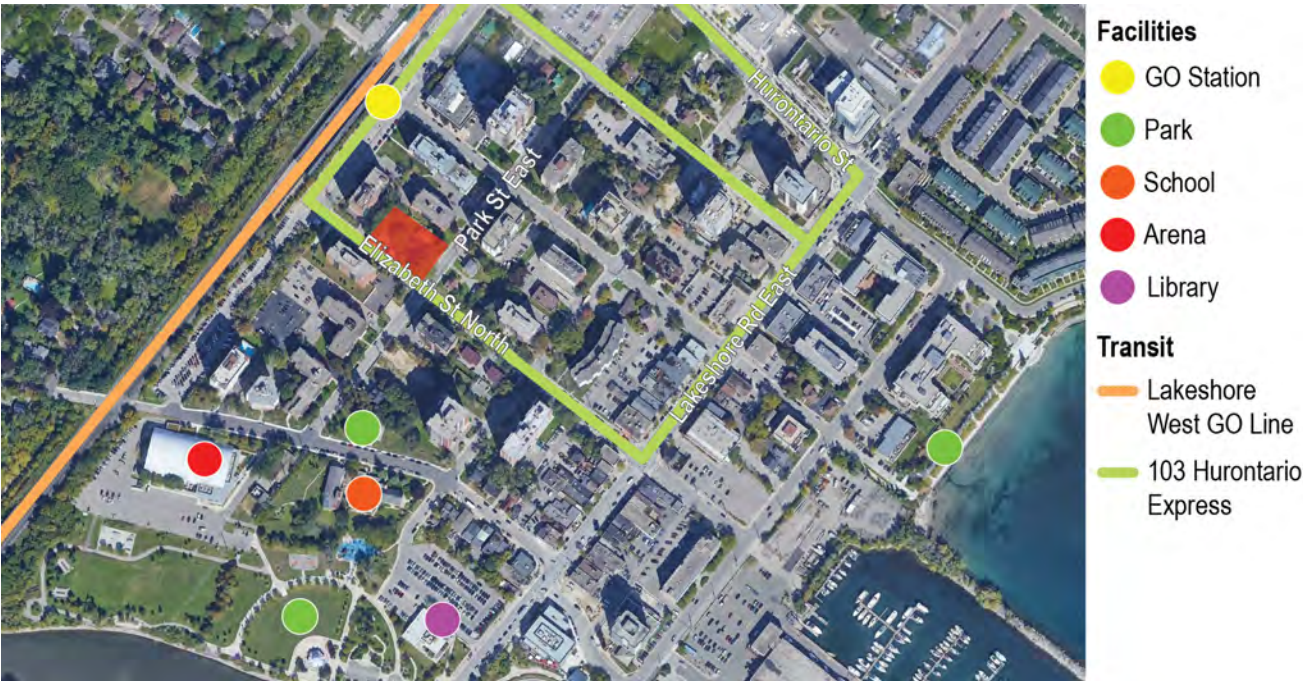


Figure 4 - Location of community facilities and green space near the subject lands



Figure 5 - Rendering of proposed development at 78 Park Street East and 22-28 Ann Street



New residential condominium development at 8 Ann Street and 71 & 81 High Street

2.4 Surrounding Development Applications

Several development applications have been filed for sites near the subject lands. Within 200 metres are two applications for residential condominium buildings with heights of 15 storeys and 22 storeys (see Figure 6).

Table 3 outlines active and recently approved development applications in the surrounding area. Information provided includes the approximate distance from the subject lands, a description of the proposed development and status of the application. The content included in the Table is informed by the City of Mississauga’s Planning Information Hub.

2.5 Transportation Network

The subject lands are located within an Intensification Corridor, Community Node, and a Major Transit Station Area (MTSA) according to Schedule 2: Intensification Areas of the City of Mississauga Official Plan (the “MOP”). The following subsections outline the road and transit network that connects the subject lands to other parts of Mississauga and the wider region.

2.5.1 Road Network

Hurontario Street runs north-south and is identified in the MOP as an Arterial Road (Schedule 5: Long Term Road Network). It has an ultimate right-of-way of 30 metres (Schedule 8: Designated Right-of-Way). Hurontario Street in proximity to the subject lands is four lanes wide with dedicated left-turn lanes at all intersections.

Hurontario Street is expected to play an important role in Mississauga’s future road network: a new light rail transit (LRT) line will make the street a Higher Order Transit Corridor (Schedule 6: Long Term Transit Network), and it is expected to have primary on-road/boulevard cycling routes as part of

Table 3: Surrounding Development Applications

Address	Approximate Distance from Subject Lands	City File No.	Description	Status
30 Queen Street East	350 metres	SP 14 183	Parking Lot Expansion for Port Credit GO Station on east side of Hurontario St	Withheld
21, 25, 29 Park Street East	100 metres	H-OZ 18/1	Removal of the H	Approved
78 Park St. E. and 22-28 Ann St.	200 metres	OZ 19 8	22 storey residential building (313 units) with at-grade retail/ commercial and office space	Approved
8 Ann Street , 71 & 81 High Street	400 metres	21CDM-M 19 2	69 apartment unit and 2 semi detached unit standard condominium development	Draft approved
55 Port Street East	500 metres	SP 20 25	9-Storey condominium building (33 units) with 1 level of Underground Parking	Application in Process



Figure 6- Map of surrounding development applications

Mississauga's long-term cycling plan (Schedule 7: Long Term Cycling Routes). The new LRT line is expected to have a stop at Park Street East, less than 350 metres away from the subject lands.

Park Street East is a local road that runs east-west. It is a two-lane road with on-street parking on the north side near the subject lands. Intersections have stop signs to control traffic.

Elizabeth Street North is identified in the MOP as a Minor Collector (Schedule 5: Long Term Road Network) that runs from the Port Credit GO Station to Lakeshore Road East. It is a one-way road on the block north of Park Street East to direct traffic from the GO Station and a two-way road to the south. The north intersection of Elizabeth Street North and Park Street East has a left-turn lane to direct vehicle traffic to Hurontario Street via Park Street East.

Queen Street East is also identified in the MOP as a Minor Collector (Schedule 5: Long Term Road Network). It is a one-way street that runs east from Ann Street to Elizabeth Street North. It is used by vehicles dropping off passengers or accessing parking lots as well as buses servicing the Port Credit GO Station.

2.5.2 Transit Network

Bus Services

The subject lands' proximity to the Port Credit GO Station offers a high level of transit accessibility via bus routes including:

- GO Bus Route 18 and MiExpress Route 103 from the Port Credit GO Station
- MiWay routes 8, 14, 19 and 23 from the corner of Park Street East and Elizabeth Street

103 Hurontario Express is a MiExpress bus route that runs north-south on Hurontario Street. It connects the Port Credit GO Station to the Brampton Gateway Terminal with daily service. This route services the Port Credit GO Station, which is less than 175 metres from the subject lands.

18 Lakeshore West is a weekday-only GO Transit bus route that also services the Port Credit GO Station. The route connects the Hamilton GO Centre to Union Station in Toronto.

The bus stop at the corner of Park Street East and Elizabeth Street, less than 20 metres from the subject lands, services five local MiWay bus routes. **8 Cawthra** runs north-south from the Port Credit GO Station to the City Centre Transit Terminal every day except Sundays. **14 Lorne Park** is a weekday route that runs east-west from the Port Credit GO Station to the Clarkson GO Station. **14A Lorne Park** follows a similar route but also services an area south of the Clarkson GO Station during weekday rush hour. **19 Hurontario** runs north-south on Hurontario Street every day from the Port Credit GO Station to the Hwy 407 & Hurontario Park & Ride. Finally, **23 Lakeshore** is a daily route that runs east-west on Lakeshore Road from the Clarkson GO Station to the Long Branch GO Station.

Light Rail Transit Services

The upcoming **Hurontario LRT Line** will run from the Brampton Gateway Terminal to the Port Credit GO Station. The proposed 18-kilometre line is expected to be completed in Fall 2022. A proposed station servicing the Port Credit GO Station at Park Street East will be less than 350 metres from the subject lands, within a 5-minute walk.

GO Train Service

Metrolinx's **Lakeshore West GO** train route services the Port Credit GO Station with two-way, all-day service between



Bus stop located at the northwest intersection of Elizabeth Street and Park street



Port Credit GO Station located one block north of the subject lands

Toronto and Aldershot and weekday rush-hour service from Hamilton to Toronto in the morning and back in the afternoon. On weekdays, the Lakeshore West GO line runs every 15 minutes on average. On weekends, it runs every 30 minutes. Access to the Port Credit GO Station is less than 250 metres from the subject lands.

Metrolinx conducted a Port Credit GO Mobility Hub Study in November 2011 in partnership with the City of Mississauga. The Study found opportunity for mixed use redevelopment to the southeast of the GO Station in an area that is currently made up of surface parking lots and low-rise single detached buildings. The proposed development at 78 Park Street East and 22-28 Ann Street is part of this redevelopment.

Metrolinx's Port Credit GO Station Southeast Area Master Plan Study outlined two major service improvements that will affect ridership at the Port Credit GO Station. First, in April 2015, the provincial government committed funding to a future Hurontario LRT line that will run between the Port

Credit GO Station and the Downtown Brampton GO Station. By 2031, it is expected to accommodate 118,000 passengers each weekday. Second, the Metrolinx Regional Express Rail project will introduce 15-minute service or better throughout the day between Toronto and Aldershot and add new hourly service to and from Hamilton 7 days a week. This is expected to significantly increase ridership along the entire Lakeshore West line.

Metrolinx is also protecting land at the Port Credit GO Station for other potential improvements that are not part of the 10-year plan, such as reinstating an existing fourth track and reconfiguring the rail platforms.

3.0 PROPOSAL



Figure 7 - Rendering of proposed development from Park Street East

3.1 Development Overview

Edenshaw Elizabeth Development Limited proposes to develop the subject property with a 22-storey residential building with 258 residential units. The proposed building will have a total height of 79.32 metres (73.32 metres excluding the mechanical penthouse). The subject lands have a site area of 1,792.1 m² (0.44 acres). The total gross floor area is approximately 16,062 m² resulting in an FSI of 8.96 times the lot area. There are 6 levels of underground parking providing a total of 200 parking spaces.

The following sections describe the proposal's design and orientation, landscaping and streetscaping, and the access points and circulation for pedestrians, cyclists and automobiles.

Building Design and Orientation

The proposed building is comprised of a 6-storey podium below a 16-storey tower. The podium floor plate is approximately 953 m² and the tower floor plate is 777 m². The building is rectangular, mimicking the lot shape and forming streetwalls along the Park Street and Elizabeth Street frontages. The building is set back 4.5 metres along both street frontages, 4.5 metres from the property to the north and 0.8 metres from the property to the east.

The tower portion of the building has been oriented to the southern portion of the subject lands to maximize the separation distance between the proposed building and the existing 11-storey building to the north. As stated in the Pedestrian Wind Assessment prepared by RWDI, this design helps to avoid channelling of wind between buildings and ultimately achieves a design for the proposed development that is comfortable for pedestrians standing in summer and walking in the winter. Tower separation distance between the two buildings ranges from 29.3 metres to 27.8 metres with the

majority of the tower separated by 29.3 metres.

There are 6 grade-related townhouse units with separate entrances located along the Elizabeth Street frontage. The residential entrance, lobby and access to underground parking comprise the Park Street frontage. The seventh storey is proposed to be made up entirely of amenity space including 501 m² of indoor space and 531 m² of outdoor space.

Landscaping and Streetscaping

Elizabeth Street

No further road widening is required along Elizabeth Street, the municipal right-of-way is currently comprised of two south-bound lanes directing traffic away from the GO station to the north. Along this frontage, there is proposed 4.5 metres of landscape area.

The street frontage is proposed to be comprised of grade-related townhouse units with exterior yards.

Two streetscape options have been proposed for Elizabeth Street. The first option includes trees in trench below paving while the second option includes trees in sod.

Park Street

No further road widening is required along Park Street. The municipal right-of-way is currently comprised of two lanes, one for each direction. There is on-street parking adjacent to the subject lands. A 4.5 metre landscape buffer is proposed. This street frontage will be comprised of the residential lobby and access to underground parking.

Along Park Street, the sidewalk is proposed to be reconstructed to match the existing sidewalk, and street trees are planned to be planted in a sodded boulevard.



Figure 8 - Rendering of proposed development from the intersection of Park Street East and Elizabeth Street North

Seventh Storey Amenity

The entirety of the seventh storey is proposed to be comprised of amenity space. This includes 501 m² of indoor space connected to 531 m² of outdoor terrace space. The programming of this area has not yet been decided and is intended to be determined through the Site Plan Application process.

Access Points, Pedestrian and Vehicular Circulation

Access points into the building include lobby access off Park Street, one (1) private entrance into each of the grade-related

townhouses along Elizabeth Street and a service access located off the rear of the podium. The service entrance located to the north from Elizabeth Street connects to the parcel room, garbage room and loading area. There are two exit points from the building directed to this area as well.

Access / egress to underground parking is located off Park Street. There is proposed to be a total of 200 parking spaces provided through six levels of parking in addition to one Type G loading space.



Figure 9 - Rendering of proposed development from intersection of Park Street East and Elizabeth Street North

3.2 Required Approvals

The subject lands are designated 'Residential High Density' in the City of Mississauga Official Plan and are also subject to the PCLAP. In the Local Area Plan, the subject lands have a maximum permitted height of 15 storeys. The proposed use of the subject lands requires an Official Plan Amendment (OPA) for additional height to 22-storeys.

The City of Mississauga Zoning By-law zones the property Residential Apartments "RA2-48". Site specific amendments

will be required to facilitate the proposed development including step backs, height and parking ratio, among others.

3.3 Public Consultation Strategy

Public input for the proposed development will be solicited through the public engagement process outlined in the Planning Act. The City of Mississauga clearly details this process through a flowchart provided in the application for amendments to the Official Plan and/or Zoning By-law.

The public and other stakeholders will be engaged throughout the development process through written comments, statutory Public Information Meetings, Ward Meetings and informal meetings once deemed appropriate due to the end of social distancing practices. A meeting has already been held with representatives from the Town of Port Credit Association (TOPCA) on February 27, 2020. A follow-up meeting will take place to further discuss the proposed development.

In addition, all application materials will be made publicly available both online and in-person and an application notice sign will be posted on the subject lands and updated throughout the development application process. This ensures the public and other stakeholders are able to provide input on the proposed development through in-person and written communication.

4.0 POLICY AND REGULATORY CONTEXT

4.1 Overview

The following sub-sections provide an overview of Provincial, Regional, and Municipal planning policies as they relate to the proposed development. Each sub-section outlines the ways in which the proposed development is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe, Region of Peel Official Plan and City of Mississauga Official Plan.

4.2 *Planning Act*, R.S.O. 1990, c. P.13

Planning Act, R.S.O. 1990, c. P.13 (“*Planning Act*”) sets the ground rules for land use planning in Ontario by describing how land uses may be controlled and who can control them. Its purpose is to promote sustainable economic development, provide for a land use planning system led by provincial policy, and integrate matters of provincial interest into planning decisions.

Section 2 of the *Planning Act* outlines planning matters of provincial interest. Matters relevant to the proposed development include:

- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (h) the orderly development of safe and healthy communities;
- (j) the adequate provision of a full range of housing, including affordable housing;
- (p) the appropriate location of growth and development;
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;

- (r) the promotion of built form that, (i) is well-designed, (ii) encourages a sense of place.

Summary

The proposed development will create 258 residential units within a short walking distance to a variety of public transportation routes including existing bus routes and the Port Credit GO Station (50 m). These units will also be located a short walk to one of the future LRT stations. The location of the proposed development makes efficient use of existing transportation infrastructure, supports public transit and is pedestrian friendly including being within proximity to a variety of commercial uses located along Lakeshore Road East.

Section 3(5) states that planning decisions made by a municipality must be consistent with ministerial policy statements and must conform or not conflict with provincial plans in effect on the date of a decision.

4.3 Provincial Policy Statement (2020)

The Provincial Policy Statement (“PPS”) is issued under Section 3 of the *Planning Act*, which also states that all planning decisions must be consistent with the PPS in effect on that date. An updated PPS came into effect on May 1, 2020 and replaces the previous PPS issued in 2014.

The PPS outlines the province’s policies on land use planning in Ontario and provides provincial direction on key land use planning issues.

Part V of the PPS provides policies for land use planning in Ontario. Section 1 outlines policies for building strong healthy communities. It states that healthy, livable and safe communities are sustained by promoting efficient development and land use patterns, accommodating an appropriate range and mix of residential and other uses and promoting cost-efficient development patterns (Policy 1.1.1). The PPS

also promotes the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns and optimize transit investments (Policy 1.1.1). The proposed development is within an existing built-up area and serviced by existing and planned transit. It is also surrounded by other residential buildings and in proximity to a variety of other uses representing a cost-efficient development pattern.

Growth is to be focused within settlement areas, and land use patterns within settlement areas must efficiently use land and resources, efficiently use infrastructure and public service facilities, minimize environmental impacts, support active transportation and be transit-supportive (Policy 1.1.3.1 and 1.1.3.2). The PPS also directs municipalities to promote opportunities for transit-supportive development that accommodates a significant supply and range of housing options through intensification and redevelopment (Policy 1.1.3.3). The subject lands are located within the Built-up Area according to Schedule D4 of the Region of Peel Official Plan. The proposal will also make efficient use of underutilized land that is serviced by existing infrastructure and public service facilities. It is transit supportive due to its close proximity to the Port Credit GO station and future Hurontario LRT.

The PPS calls for an appropriate range and mix of housing types and densities to meet requirements of current and future residents (Policy 1.4.1). This includes the provision of housing that is affordable to low and moderate income households (Policy 1.4.3). New housing should be in areas with appropriate levels of infrastructure and public service facilities, and municipalities should promote densities that efficiently use land, resources, services and facilities, including active transportation and transit (Policy 1.4.3). Intensification should be prioritized in proximity to transit, including corridors

and stations (Policy 1.4.3). The efficient use of municipal sewage and water systems is reiterated in Section 1.6.6. The proposal will create 258 additional residential units near existing and planned transit and will contribute to the range of housing types and densities in the surrounding area while also creating some affordable options for households of varying socioeconomic status. A servicing study conducted by WSP found existing local watermains, sanitary sewage and storm sewage are sufficient for or will not be adversely affected by the proposed development.

The PPS underlines the importance of development near transit and active transportation routes, including in policies outlined in Sections 1.6.7 and 1.8. This means municipalities should promote a land use pattern, density and mix of uses that minimize vehicle trips and support current and future use of transit and active transportation (Policy 1.6.7.4). This also aligns with policies regarding the environment and climate change, which call for land use that promotes compact form and promotes the use of active transportation and transit (Policy 1.8.1).

Summary

The subject lands are one block from an existing GO station and within a short walk to the commercial strip along Lakeshore Road. The proposed level of density will place an increased number of residents in proximity to these facilities, which will support a multi-modal transportation system and reduce reliance on private automobiles.

The proposed development makes efficient use of underutilized land. Based on the surrounding uses and services, the compact and high-density built form is an effective management of these lands by supporting transit and active transportation uses. The proposed building will also contribute to a growing range of housing types—the surrounding area is comprised

of other low and medium density lots as well as a few other high-density properties. For these reasons, it is our opinion that the proposal, Official Plan Amendment and Zoning Bylaw Amendment are consistent with the policies of the PPS.

4.4 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) ("Growth Plan") provides a framework for implementing the province's vision for building strong, prosperous communities by managing growth in the region. The Growth Plan builds on the provincial framework set out in the PPS. According to Section 3(5) of the Planning Act, planning decisions made by a municipality must conform or not conflict with the Growth Plan.

The Growth Plan emphasizes the importance of growth and development that supports and maintains compact development, complete communities, integrated transportation networks and a healthy natural environment.

Section 1.2.1 - Guiding Principles

Section 1.2.1 outlines the Growth Plan's guiding principles, which include:

- Support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime.
- Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability.
- Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.

The surrounding area is comprised of medium and high density residential buildings. The proposal will support the range and mix of housing options through infill development, providing additional units to serve varying household sizes and incomes. The additional density proposed for the subject lands will place more residents in close proximity to the existing GO station and proposed Hurontario LRT station supporting existing and planned transit networks. In addition, the proposed development will include affordable housing units, with an exact number to be finalized through the development approvals process.

Complete communities are defined in the Growth Plan as:

"Places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. Complete communities are age-friendly and may take different shapes and forms appropriate to their contexts."

The immediate area is comprised of residential uses, however only a short walk south towards Lakeshore Road features a variety of commercial, retail and office spaces. The subject lands are also near numerous public facilities including the Port Credit Library, Arena and Memorial Park Playground, among others.

Strategic growth areas are defined in the Growth Plan as:

"Within settlement areas, nodes, corridors, and other areas that have been identified by municipalities or the Province to be the focus for accommodating intensification and higher-density mixed uses in a more

compact built form. Strategic growth areas include urban growth centres, major transit station areas, and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as strategic growth areas.”

Schedule 2 of the MOP identifies the subject lands as a MTSA. This qualifies the subject lands as a strategic growth area as defined in the Growth Plan, which are priority areas for intensification and higher densities.

Section 2.2.1 - Managing Growth

Policy 2.2.1(2) of the Growth Plan directs forecasted growth to settlement areas that have a delineated built boundary, existing or planned municipal water and wastewater systems and can support the achievement of complete communities. Within these settlement areas, growth will be focused in delineated built-up areas, strategic growth areas, locations with existing or planned transit, with a priority on higher order transit where it exists or is planned, and areas with existing or planned public service facilities.

In applying the policies of the Growth Plan, complete communities will be created that feature a diverse mix of land uses, provide a diverse range and mix of housing options, expand access to a range of transportation options, provide for a more compact built form and vibrant public realm and mitigate climate change impacts (Policy 2.2.1(4)). The subject lands are within the existing built-up area and have existing water and wastewater systems according to the Functional Servicing Report prepared by WSP.

Section 2.2.4 - Major Transit Station Areas and Intensification Corridors

Schedule 5 of the Growth Plan identifies Metrolinx’s Lakeshore West Corridor as a Priority Transit Corridor. Policies for transit corridors and station areas are outlined in Section 2.2.4 of the Growth Plan. Policy 2.2.4(1) states that planning will be prioritized for MTSA’s on priority transit corridors including zoning in a manner that implements the policies of the Growth Plan. Development within MTSA’s should plan for a diverse mix of uses, provide alternative development standards such as reduced parking standards and prohibit land uses and built form that adversely affect the achievement of transit-supportive densities (Policy 2.2.4(9)). According to Policy 2.2.4(3), a minimum density target of 150 and 160 residents and jobs per hectare is required within major transit station areas servicing the GO Transit rail network and light rail transit, respectively. The proposed development will contribute to the density target for the surrounding area and features performance standards to support transit including an increased density and a reduced parking standard.

Section 2.2.6 - Housing

Section 2.2.6 of the Growth Plan outlines housing policies for the region, including that municipalities must support housing choice and the achievement of complete communities through the achievement of minimum density targets outlined in the Growth Plan. The proposed development will transform 4 low-rise properties into a 22 storey building adjacent to both regional express rail and higher order rapid transit. This infill proposal will assist with achieving density targets in the Growth Plan and support the achievement of a complete community by providing an appropriate level of intensification in an area well serviced by existing and planned amenities and infrastructure.

Section 3.2 - Infrastructure to Support Growth

The Growth Plan also highlights the importance of transportation in land use planning. The transportation system will be planned to offer a balance of transportation choices that reduce automobile reliance and promote transit and active transportation (Policy 3.2.2(b)) and will offer multimodal access to jobs, housing, schools and more (Policy 3.2.2(d)). Achieving this requires transit planning that prioritizes areas with existing or planned higher residential or employment densities, increases transit capacity to support strategic growth areas, facilitates improved linkages in MTSAs and increases the modal share of transit (Policy (3.2.3)). Due to the proximity to the GO station and future Hurontario LRT, the proposed development will be easily accessible to both transit that services the local area and provides access to surrounding municipalities. There is a variety of other land uses located within walking distance that will also support a multi-modal transportation system.

Section 4.2 - Protecting what is Valuable

Section 4.2.10 of the Growth Plan outlines the relationship between land use planning and climate change. It states that mitigating climate change requires municipalities to create policies that support the achievement of complete communities, reduce dependence on the automobile and support existing and planned transit, among other policies (Policy 4.2.10(1)).

Summary

The subject lands are located within the settlement area, built-up boundary, a strategic growth area and two major transit station areas. The built form will contribute to the range and mix of housing in the Port Credit area and will accommodate a range of household sizes and incomes, including affordable housing. The proposed development will locate an increased

number of residents within an existing built-up area with transit, active transportation, a mix of land uses and a number of public services and facilities. The compact built form will make efficient use of the land and be supportive of mitigating climate change. In addition, the proposed development will seek to be LEED Certified as a minimum target.

The proximity to both existing and planned higher-order transit services in combination with a reduced parking standard will promote a multi-modal transportation system and reduce reliance on private automobiles. Based on the rationale provided above, it is our opinion that the proposed development, Official Plan Amendment and Zoning By-law Amendment conform to the policies of the Growth Plan.

4.5 Region of Peel Official Plan (December 2018 Office Consolidation)

The Region of Peel Official Plan ("ROP") establishes a long-term strategic policy framework for guiding regional growth and development. The four primary goals of the ROP are to create a healthy community, recognize the importance of the environment, recognize the importance of a vibrant economy and support balanced growth and development. The ROP received ministerial approval on October 22, 1996. The Region of Peel is completing an Official Plan Review ("Peel 2041"), which is anticipated to be completed by July 1, 2022, based on Provincial requirements.

The City of Mississauga is expected to accommodate 253,000 households by 2021 and 270,000 households by 2031, according to Figure 4 of the ROP. Policy 4.2.2.5 states population forecasts will be used for determining land and housing requirements to accommodate future growth. The proposed development results in 258 new residential units (replacing only 4 existing) that will contribute to the forecasted growth by 2031.

The subject lands are within the Urban System according to Schedule D: Regional Structure. The Urban System should feature intensified and compact form and a mix of land uses to efficiently use land, services, infrastructure and public finances (Policy 5.3.1.4). To achieve an urban structure, form and densities should be pedestrian-friendly and transit-supportive (Policy 5.3.1.5). Urban development and redevelopment are directed to lands within the Urban System (Policy 5.3.2.2). Area municipalities are directed to support pedestrian-friendly and transit-supportive urban development, intensification and mixed land use within the Urban System (Policy 5.2.3.6).

The proposed 22-storey building features a compact form and efficiently uses existing and planned land, services and infrastructure. The density and built form are pedestrian-friendly and transit supportive, and the proposed development is located within a community that has a mix of land uses.

Schedule D4: Growth Plan Policy Areas identifies the subject lands as within the Built-up Area. The ROP directs area municipalities to create policies to develop complete communities that are compact, well-designed, transit-oriented, offer transportation choices, include a diverse mix of land uses and more (Policy 5.5.2.1). A significant portion of new growth is directed to built-up areas through intensification (Policy 5.5.2.2), with a priority to urban growth centres, intensification corridors, nodes and MTSA's (Policy 5.5.3.2.3). The ROP sets a minimum target of 52,000 units of residential development by 2031 within the built-up area (Policy 5.5.3.2.5). The subject lands are within the built-up area and a MTSA. The compact built form and access to existing and planned transportation result in a development that is transit-oriented and offers transportation choices. The additional 258 residential units proposed will contribute to the Region's minimum target by 2031.



Figure 10 - Schedule G - Rapid Transit Corridors

Section 5.8 of the ROP outlines housing policies, including that area municipalities should encourage residential redevelopment in areas with sufficient existing or planned infrastructure (Policy 5.8.2.2) and should plan for a range of densities and forms of housing (Policy 5.8.2.3). According to the FSR prepared by WSP, there is servicing capacity to support development on the subject lands. The proposed built form and density contributes to the range of other existing and recently approved residential properties.

The subject lands are located near Lakeshore Road and Hurontario Street, which are both identified as Major Roads in Schedule E: Major Road Network. The Major Road Network allows for inter- and intra-municipal travel within Peel and for connections to other regions and municipalities. The proposed development will locate new residents in proximity to these major roads for access to adjacent municipalities.

The transit network is also an important part of the Region's transportation structure, especially as the existing road network becomes unable to accommodate the long-term travel demands of residents and workers. Schedule G: Rapid Transit Corridors (see Figure 10) identifies the subject lands as within a Gateway Mobility Hub due to a nearby GO Rail Station, GO Rail Line – Express Rail and Rapid Transit Corridor on Hurontario Street. The ROP sets an objective of supporting and encouraging transit-supportive development densities and patterns, particularly along rapid transit corridors and at mobility hubs (Policy 5.9.5.1.4). Intensification of residential development is also encouraged at nodes and mobility hubs to support a high level of transit service (Policy 5.9.5.2.10).

These policies integrate with direction provided in Section 5.9.9 – Transportation Demand Management. Area municipalities are encouraged to promote land uses that foster the use of sustainable modes of transportation (Policy 5.9.9.2.1(a)) and active transportation (Policy 5.9.10.2.4).

Summary

The subject lands are less than a block away from the GO station and future Hurontario LRT stop. The increase in density will place additional residents in walking distance to this mobility hub and support the use of transit to travel within the city and to other municipalities. The reduced parking standard will also further support usage of other transportation methods aside from private vehicles.

The proposed development will support achieving the Region's density target for 2031 and will locate residents in an area with existing and planned services, facilities and infrastructure. It is very well serviced by existing and planned public transit making these alternative modes of transportation easily accessible. The increase in density will also provide additional support to public transit usage and foot traffic along

Lakeshore Road to access the variety of retail, commercial and office spaces. Based on the rationale provided above, it is our opinion that the proposed development, Official Plan Amendment and Zoning By-law Amendment conform to the policies of the ROP.

4.6 City of Mississauga Official Plan (March 2019 Office Consolidation)

Council adopted the City of Mississauga Official Plan ("MOP") on September 29, 2010, and it was partially approved by the Region of Peel on September 22, 2011. There were numerous appeals to the then-Ontario Municipal Board (now Local Planning Appeal Tribunal or "LPAT"). This section refers to the November 22, 2019 Office Consolidation, which includes LPAT decisions and Council-approved amendments to this date. The MOP provides a policy framework to protect, enhance, restore and expand the Natural Heritage System, to direct growth to where it will benefit the urban form, support a strong public transportation system and address the long term sustainability of the city.

Chapter 4 – Vision

The Port Credit area has been central to Mississauga's development since the founding of the Toronto Township in 1805. Over the past two centuries, Port Credit has experienced substantial change and growth. It became a town in 1961 before amalgamating with the Town of Mississauga in 1974. Now, Mississauga is one of Canada's fastest growing and most economically successful cities.

Chapter 4 sets the guiding principles of the MOP, which include providing a range of mobility options by connecting people with places through coordinated land use, planning for a wide range of housing and supporting the creation of distinct, vibrant and complete communities (Section 4.4).

To achieve these objectives, the MOP seeks to direct growth to locations supported by planned and higher order transit, pedestrian oriented development and community infrastructure (Section 4.5). It aims to support complete communities by promoting urban form and development that supports public health as well as ensuring that communities provide access to a range of uses and services required to meet daily needs (Section 4.5). The MOP also states that new development will be directed to locations that support existing and planned transit and active transportation facilities in order to support the objective of creating a multi-modal city (Section 4.5). In order to build a desirable urban form, the MOP supports creating vibrant mixed use communities and using placemaking initiatives to support active living (Section 4.5).

The subject lands are located less than a block away from the Port Credit GO Station and are also close to the future Hurontario LRT. It is extremely well serviced by existing and proposed public transit and close to the commercial and retail uses along Lakeshore Road East.

Chapter 5 – Direct Growth

Chapter 5 of the MOP directs growth within the City of Mississauga. The MOP encourages compact, mixed use development that is transit supportive and in appropriate locations to provide a range of local live/work opportunities (Policy 5.1.6). Policy 5.1.4 states that most of Mississauga's future growth will be directed to Intensification Areas, which include the subject lands according to Schedule 2: Intensification Areas. The existing land use designation on the property permits residential apartments. The proposed development would require an increase to permitted height and density from 15 storeys to 22 storeys.

Section 5.3 delineates the role of the City Structure in directing and accommodating growth. The subject lands are identified

as a Community Node in Schedule 1B of the MOP (See Figure 11). These areas are expected to provide a mix of population and employment uses at lower densities and heights than Major Nodes (Section 5.3). Places like Port Credit already exhibit many of the desired characteristics of Community Nodes, such as compact, mixed use development, pleasant, walkable streets and a strong sense of place (Section 5.3.3). Community Nodes must accommodate 100 to 200 residents and jobs combined per hectare (Policy 5.3.3.4) and achieve an average population to employment ratio between 2:1 and 1:2 (Policy 5.3.3.6). Development within Community Nodes will be in a form and density that complements existing character (Policy 5.3.3.11) and supports active transportation (Policy 5.3.3.13).

Schedule 2: Intensification Areas identifies the subject lands as within an Intensification Corridor, which are defined as lands with the potential for higher density mixed use development consistent with planned transit service levels (see Figure 12). In general, development on Corridors should be compact, mixed use and transit friendly (Policy 5.4.4), and low-density residential development is discouraged from Intensification Corridors (Policy 5.4.13). The existing uses on the property are of a low-density form, while the proposed development will result in a compact, high-density and transit-supportive use consistent with the policies for Intensification Corridors.

Section 5.5 sets out policies for Intensification Areas, which include Community Nodes, Intensification Nodes and MTSAs (Policy 5.5.1). According to Schedule 2 of the MOP, the subject lands qualify as all three. Intensification Areas are encouraged to have a mix of medium and high-density housing (Policy 5.5.7) in order to maximize the use of existing and planned infrastructure (Policy 5.5.9). This means residential and employment density must be sufficiently high to support transit usage (Policy 5.5.8). The proposed development will create

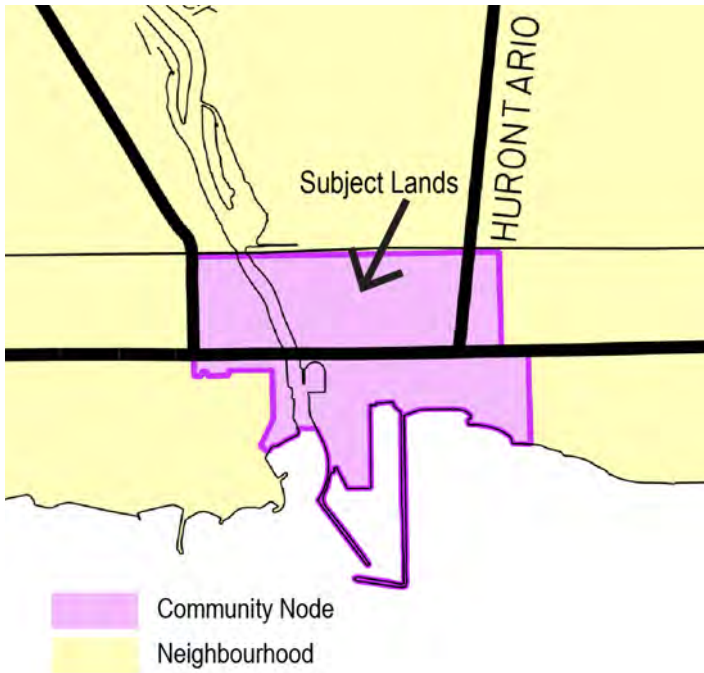


Figure 11 - Schedule 1B - Urban System - City Structure

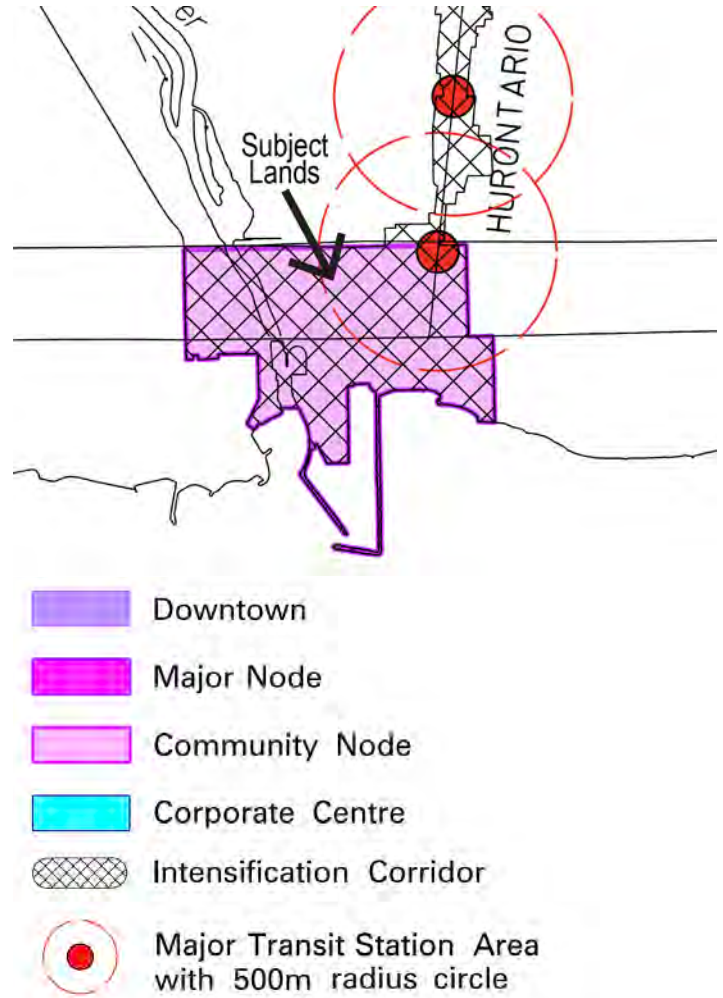


Figure 12 - Schedule 2 - Intensification Areas

258 residential units on the subject lands to maximize and support the existing and planning infrastructure, specifically transit in the area including the GO Station and future Hurontario LRT stop.

Chapter 6 – Value the Environment

The MOP seeks to promote sustainability through land use policies outlined in Chapter 6. These include building communities that are environmentally sustainable and encourage sustainable ways of living (Policy 6.2.2). It is also worth noting that the subject lands are located near a railway, so a detailed noise impact study is required to measure sound levels for the proposed development (Policy 6.10.4.1). The proposed development will have no adverse impacts on the surrounding environment.

A noise report has been prepared by JE Coulter that recommends noise control measures similar to those required for residential development built nearby busy railways. The report found the proposed development is feasible from a noise and vibration perspective, and there are no major noise or vibration issues that would prove challenging to address at later stages of the design.

Chapter 7 – Complete Communities

Chapter 7 of the MOP outlines policies that build upon the Growth Plan's complete community goals. To create complete communities and develop a built environment supportive of public health, the City encourages compact, mixed use development that reduces travel needs by integrating land uses and promotes land use planning practices conducive to good public health (Policy 7.1.3). The proposed development is of a compact built form and is very well serviced by existing and planned public facilities, reducing travel needs.

Housing is a major facet of complete communities. The MOP states that housing must accommodate people with diverse

housing preferences and socioeconomic characteristics and needs (Policy 7.1.6). To achieve this goal, Mississauga will provide opportunities for the development of a range of housing choices in terms of type, tenure and price (Policy 7.2.2(a)). New housing must maximize the use of community infrastructure and engineering services (Policy 7.2.1), and housing that meets the needs of young adults, older adults and families is encouraged in Community Nodes (Policy 7.2.9). The proposed development has a variety of unit sizes that can accommodate a range of household sizes and incomes. There are proposed to be 162 units ranging from one bedroom to one bedroom plus den in size, with 96 units ranging from two bedrooms to two bedrooms plus den. The upper storey condominium units in combination of the grade-related townhouses can meet the needs of young adults, older adults and families. The surrounding area is well serviced by existing community services, and a Functional Servicing Report found existing sanitary sewage and storm sewage systems have adequate capacity for the proposed development.

The subject lands are located within the Lake Ontario Waterfront community, albeit several blocks north of the lake itself. The MOP seeks to protect and enhance the character of areas with distinct identities, such as the Waterfront, through built form that provides for the creation of a sense of place (Policy 7.6.1.1 and 7.6.1.2). The proposed built form and design will be compatible with the surrounding area and will protect the character of the area.

Chapter 8 – Create a Multi-Modal City

Mississauga is evolving from a vehicle-oriented built form to a more urban municipality. This transformation requires more opportunities for carpooling, transit and active transportation choices. Chapter 8 of the MOP provides policies for creating a multi-modal transportation system that supports the creation of compact, complete communities.

The subject lands are already well-served by transit and are expected to have even more transit and active transportation options in the coming years. Schedule 6: Long Term Transit Network identifies the subject lands as within a Mobility Hub, near an existing commuter rail station and rail line and near an existing Mississauga transit terminal. With the anticipated launch of the Hurontario LRT, the subject lands will also be near a Higher Order Transit Corridor and a LRT station. Schedule 7: Long Term Cycling Routes identifies both Lakeshore Road and Hurontario Street as future primary on-route/boulevard routes for cyclists. The proposed development will be in walking distance to a variety of public transit options, which will promote other forms of transportation and reduce reliance on private automobiles.

The MOP promotes active transportation and the development of Community Nodes that reduce the need to travel by car to fulfill daily needs (Section 8.2.3). The transit network will be supported by compact, pedestrian oriented, mixed use land development in nodes, mobility hubs and along Corridors (Section 8.2.3). The subject lands are also within walking distance of a variety of commercial, retail and office uses located along Lakeshore Road and many of the public amenities that service the Port Credit area. The surrounding area and transit accessibility would allow for residents to fulfill their daily needs without a vehicle.

The MOP also recognizes that parking can shape land use patterns and influence travel behaviours. As a result, Policy 8.4.3 states that reducing off-street parking requirements will be considered for developments based on access to transit, level of transit service, traffic generation and impact on surrounding area. Within Intensification Areas such as the subject lands, the MOP also states that it will consider reducing minimum parking requirements to reflect transit service levels (Policy 8.4.7). Due to the site's connection to the existing

transit network, a parking reduction has been proposed for the development at a rate of .77 parking spaces per unit for a total of 200 parking spaces in 6 levels of underground parking as outlined in the Transportation Impact Study prepared by LEA in support of the proposed development.

Chapter 9 – Build a Desirable Urban Form

Chapter 9 of the MOP focuses on the achievement of a sustainable urban form for Mississauga through high quality urban design and a strong sense of place. Growth is to be directed to Intensification Areas comprised of the Downtown, Major Nodes, Community Nodes, Corporate Centres, Intensification Corridors and Major Transit Station Areas (Section 9.1). Again, the subject lands are located within a Community Node, Intensification Corridor and MTSA according to Schedule 2 of the MOP.

Development within Intensification Areas must promote a diverse mix of uses and support transit and active transportation (Policy 9.1.2), and development on Corridors must be consistent with existing character, seek opportunities to enhance the Corridor and provide appropriate transitions to neighbouring uses (Policy 9.1.5). Urban form should support the creation of an efficient multi-modal transportation system that encourages a greater utilization of transit and active transportation (Policy 9.1.9). Site development must respect the urban hierarchy, utilize sustainable best practices, demonstrate context sensitivity, promote universal accessibility and employ design excellence (Policy 9.1.10). In the surrounding area there are existing and recently approved buildings 20 storeys and above, with many other properties being of a mid-rise format. The proposed tower has been positioned towards the corner of the two intersecting streets to increase the separation distance from the existing buildings to the north and east.

Section 9.2.1 expands on policies for new development in Intensification Areas such as that built form should create a sense of place (Policy 9.2.1.3). In Intensification Areas, small land parcels should be assembled to create efficient development parcels (Policy 9.2.1.5). Tall buildings are preferred to be located in proximity to existing or planned MTSA's (Policy 9.2.1.8), should be designed to enhance an area's skyline (Policy 9.2.1.11), should incorporate podiums to mitigate wind impacts (Policy 9.2.1.14) and consider pedestrians and adverse microclimatic impacts on the public realm (Policy 9.2.1.15 and 9.2.1.16). The MOP also outlines several other design considerations for development within Intensification Areas such as that developments must face the street (Policy 9.2.1.24) and feature active facades (Policy 9.2.1.25). The proposed development consolidates four smaller parcels to create an efficient development parcel and locates a tall building within an existing MTSA and mobility hub. A 6-storey podium with step backs to the tower have been incorporated to mitigate wind impacts.

Section 9.4 focuses on how urban form supports transit and active transportation. The design of all new development must foster the improvement of connections and accessibility for transit users and promote active transportation modes (Policy 9.4.1.1), and a transit and active transportation supportive urban form is required in Intensification Areas (Policy 9.4.1.2). Ways to achieve these goals include methods outlined in Policy 9.4.1.3:

- a. Locating buildings at the street edge, where appropriate;
- b. Requiring front doors that open to the public street;
- c. Ensuring active/animated building façades and high quality architecture;
- d. Ensuring buildings respect the scale of the street;



Figure 13 - Rendering of the proposed development demonstrating urban form

- e. Ensuring appropriate massing for the context;
- f. Providing pedestrian safety and comfort; and
- g. Providing bicycle destination amenities such as bicycle parking, shower facilities and clothing lockers, where appropriate.

The proposed building has been directed towards both street edges. The building facades have been animated by ensuring the residential lobby comprises the Park Street frontage and entrances to each of the townhouses comprise the Elizabeth Street frontage. The massing incorporates a 6-storey podium with step backs to the 16-storey tower to respect the scale and

massing of the area by limiting the impacts onto surrounding properties (see Figure 13).

New developments should also be compatible and provide appropriate transition to existing and planned development by having regard to natural heritage features, size and distribution of building mass and height and more (Policy 9.5.1.2). Development proposals must demonstrate compatibility and integration with surrounding land uses and the public realm by ensuring that privacy, sunlight and sky views are maintained and microclimatic conditions are mitigated (Policy 9.5.1.9). Siting and massing of new developments must also create a safe and comfortable environment for pedestrians (Policy 9.5.2.2). Site development must also incorporate stormwater management best practices, enhance the streetscape, provide landscaping that complements the public realm and more (Policy 9.5.2.11).

The design of the proposed development creates wind conditions that are considered comfortable for standing in the winter and walking in the winter, according to the Wind Assessment prepared by RWDI. Design features such as cantilevered balconies and the inclusion of a podium with a tower setback along the north side at Level 7 and on the east side at Level 2 help to reduce wind speeds at ground level. The report recommends wind control strategies such as landscaping along Elizabeth Street to improve winter wind conditions and localized design modifications at the building and townhouse entrances.

Buildings must also create a sense of identity through site layout, massing, forms, orientation, scale and more (Policy 9.5.3.1). Buildings must clearly address the street (Policy 9.5.3.2), be pedestrian oriented through design and orientation of facades (Policy 9.5.3.7) and facades should be articulated to include changes in materials or material treatments to

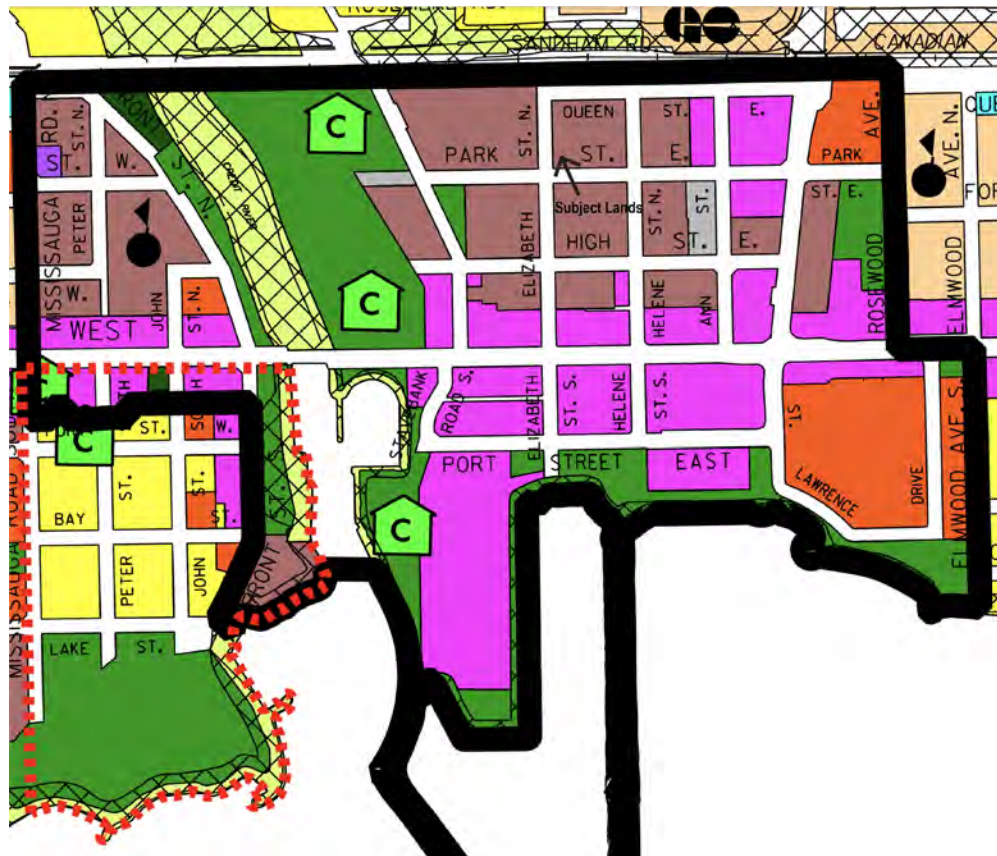
provide visual interest (Policy 9.5.3.3). Tall buildings must minimize undue physical and visual negative impact related to microclimatic conditions, noise, view, skyview and cultural heritage resources (Policy 9.5.3.9). Parking must be located underground (Policy 9.5.5.1). Building design should also consider crime prevention best practices by promoting natural surveillance (Policy 9.5.6.1) and creating active building frontages that face public spaces (Policy 9.5.6.2). The proposed building ensures the street frontages are comprised of active uses which are pedestrian friendly and engaging, rather than a blank façade. All parking has been proposed within 6 levels of underground parking that is accessed from Park Street. The tower portion of the building has been directed towards the intersection and away from the adjacent buildings to minimize any adverse impacts.

Chapter 11 – General Land Use Designations

The subject lands are designated Residential High Density and are identified as within a Community Node in Schedule 10 of the MOP (see Figure 14). Policy 11.2.5.6 states that Residential High Density designation permits land uses such as residential dwellings, apartment dwellings, townhomes and uses permitted in the Convenience Commercial designation. The proposed development conforms to the permitted uses of the Residential High Density land use designation.

Chapter 14 – Community Nodes

The subject lands are identified as within the Port Credit Community Node in Schedule 9 of the MOP. General policies affecting Community Nodes include that development applications may be required to demonstrate how the proposed development contributes to the achievement of resident and job density targets (Policy 14.1.1.1). The proposed development will add 258 residential units to the Port Credit community that will contribute to the achievement of density targets.



LAND USE DESIGNATIONS

	Residential Low Density I		Industrial
	Residential Low Density II		Airport
	Residential Medium Density		Institutional
	Residential High Density		Public Open Space
	Mixed Use		Private Open Space
	Convenience Commercial		Greenlands
	Motor Vehicle Commercial		Parkway Belt West
	Office		Utility
	Business Employment		Partial Approval Area

City Structure

	Downtown		Corporate Centre
	Major Node		Employment Area
	Community Node		Special Purpose Area
	Neighbourhood		

Figure 14 - Schedule 10 - Land Use Designations

Official Plan policies for lands within the Port Credit Community Node are outlined in the Port Credit Local Area Plan, discussed in detail later in this section.

Summary

The proposed development is supportive of the policies outlined in the MOP. The subject lands are identified as a part of the City that is anticipated to experience growth and intensification, particularly in the form of a high-density building. The subject lands are also extremely well serviced by existing and proposed public transportation routes, therefore supporting a multi-modal transportation system and reducing reliance on private automobiles. The surrounding area is comprised of a variety of land uses and building types. The proposed development will contribute to the range of housing to support different household sizes and incomes. The building design and performance standards have been proposed to support public transit, create a pedestrian friendly environment, minimize adverse impacts on surrounding buildings and be compatible with the surrounding area. Based on the rationale above, it is our opinion that the proposed development, Official Plan Amendment and Zoning By-law Amendment conform to the policies of the MOP.

Port Credit Local Area Plan

The Port Credit Local Area Plan provides a vision for directing growth, protecting the environment, creating complete communities, supporting a multi-modal city, building desirable urban form and maintaining a strong economy in the Port Credit area. Guiding principles identified in the Plan include:

- 5.1.1 Protect and enhance the urban village character recognizing heritage resources, the mainstreet environment, compatibility in scale, design, mixture of uses and creating focal points and landmarks;

- 5.1.2 Support Port Credit as a distinct waterfront community with public access to the shoreline, protected views and vistas to Lake Ontario, the Credit River and active waterfront uses;
- 5.1.3 Enhance the public realm by promoting and protecting the pedestrian, cyclist and transit environment, creating well connected and balanced parks and open spaces and reinforcing high quality built form;
- 5.1.4 Support the preservation, restoration and enhancement of the natural environment;
- 5.1.5 Balance growth with existing character by directing intensification to the Community Node, along Lakeshore Road (east and west), brownfield sites and away from stable neighbourhoods. Intensification and development will respect the experience, identity and character of the surrounding context and Vision; and,
- 5.1.6 Promote a healthy and complete community by providing a range of opportunities to access transportation, housing, employment, the environment, recreational, educational, community and cultural infrastructure that can assist in meeting the day-to-day needs of residents.

The subject lands are part of the Community Node described in Section 5.2.2 of the Local Area Plan. Community Nodes should have a mixture of uses, compact urban form and appropriate density. New development heights should support the vision of an urban waterfront village, although development near the GO Station and future LRT station could have additional height and density (Section 5.2.2). The safe and efficient movement of people between transit modes within the GO Station MTSA is a key consideration in the review of development applications (Section 5.2.2). Current height limits

for the subject lands are between 2 and 15-storeys according to Schedule 2B (see Figure 15). The proposed development is supportive of the vision for creating an evolving urban waterfront village that respects existing character while allowing additional height and density in the vicinity of the GO station and future LRT station, as stated in Section 5.2.2. The subject lands are located within the Community Node around the GO Station, which is also a MTSA and Gateway Mobility Hub.

Section 8 of the Local Area Plan outlines policies for maintaining a complete community within Port Credit. The Community Node is encouraged to develop with a range of housing choices in terms of type, tenure and price (Policy 8.1.1). This includes the creation of new affordable housing and the preservation of existing affordable housing (Policy 8.1.2 and 8.1.3). The proposed development incorporates an increase of housing units provided in the surrounding area with a range of unit sizes that will accommodate numerous household sizes and incomes. Affordable housing units will be included as part of the proposed development.

The transportation system is also integral to Port Credit, as outlined in Section 9 - Multi-Modal Network of the Local Area Plan. The GO Transit Station is a Gateway Mobility Hub and MTSA, and the planned LRT line will connect the area to higher order transit on Hurontario Street (Section 9.3). As a result, future development must support the functioning of the mobility hub (Section 9.3). The increased density and reduction in parking for the proposed development are standards that are supportive of the mobility hub and use of existing and future public transit systems.

There are many policies that support the vision of creating a multi-modal network in Port Credit. Policy 9.1.14 requires development applications to be accompanied by transportation

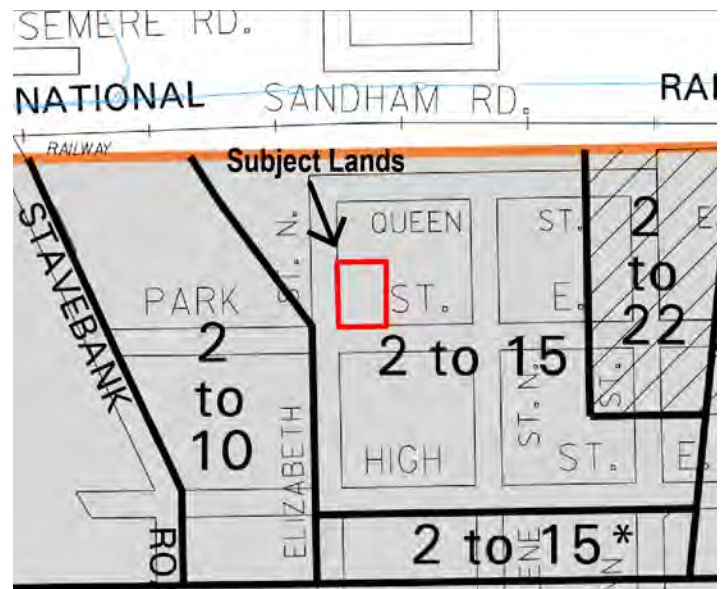


Figure 15 - Schedule 2B - Port Credit Community Node Height Limits

and traffic studies that address measures such as reduced parking standards, transportation demand management, transit oriented design of the development, pedestrian/cycling connections and access management plan. Due to capacity constraints on the Port Credit transportation network, development applications requesting increases in density and height must demonstrate that the proposed development has included measures to limit additional vehicular demand on Port Credit's network (Policy 9.1.15). Building on these policies, Policy 9.2.1 states that reduced parking requirements and maximum parking standards may be considered within the Community Node, particularly near the GO Station and planned LRT. The proposed development supports these policies by locating more residents near existing and planned transit, particularly a GO train line and several bus routes, as well as within walking and cycling distance of many community facilities and open spaces as well as the future Hurontario LRT. The proposal includes 200 vehicle parking spaces and

202 bicycle parking spaces. Creating fewer vehicle parking spots will encourage residents to take transit or use bicycles instead of driving, reducing the number of vehicles on the road and encouraging active transportation, according to the Traffic Impact Study by LEA.

Section 10 outlines desirable urban form policies for the Port Credit area. General policies include that development will be in accordance with the minimum and maximum height limits identified in the Local Area Plan, although additional height may be considered through a site-specific Official Plan Amendment application (Policy 10.1.1 and 10.1.2). This application must demonstrate:

- a. The achievement of the overall intent, goals, objectives of this Plan;
- b. Appropriate site size and configuration;
- c. Appropriate built form that is compatible with the immediate context and planned character of the area;
- d. Appropriate transition to adjacent land uses and buildings, including built form design that will maximize sky views and minimize visual impact, overall massing, shadow and overlook;
- e. Particular design sensitivity in relation to adjacent heritage buildings; and
- f. Measures to limit the amount of additional vehicular and traffic impacts on the Port Credit transportation network (Policy 10.1.2).

Schedule 1 identifies the subject lands as within the Community Node Character Area and the Central Residential precinct. Development within the Community Node Character Area should be at a scale that reflects its role in the urban

hierarchy (Policy 10.2.1.1), and floor plate size for buildings over 6 storeys should decrease as building height increases to address overall massing, visual impact, protected skyviews and limited shadow impacts (Policy 10.2.1.2).

Additionally, buildings over 6 storeys should maintain separation distances that address existing separations between buildings, overcrowding of skyviews, protection of view corridors and privacy of occupants (Policy 10.2.1.3). New development in these areas should also provide for landscaping that provides buffer between uses, incorporates stormwater best management practices, enhances the aesthetic quality of the area and enhances the tree canopy (Policy 10.2.1.4). Streetscapes must address setbacks and side yards to reflect the planned function, minimize vehicular access points and create an attractive public realm (Policy 10.2.1.5). The proposed building features a 6-storey podium with a floor plate of 953 m²; at the 7th floor the building steps back to ensure an appropriate separation distance from the building to the north and reduces in size to a 777 m² floor plate. The streetscapes have been appropriately landscaped with a 4.5 metre buffer along both Park Street and Elizabeth Street.

As stated previously, height limits for the subject lands are between 2 and 15-storeys according to Schedule 2B (see Figure 15). The site-specific Official Plan and Zoning By-law Amendments reflect a building that incorporates appropriate separation distances from adjacent buildings. The proposed height is consistent with recent approvals in the surrounding area, and a Shadow Study Analysis conducted by IBI found that the proposed development meets the City's standards for sun and daylight access on neighbouring properties and in the public realm.

Urban form policies for the Central Residential Precinct are

outlined in Section 10.2.2 of the Local Area Plan. The Plan states that the precinct has many apartment buildings with potential for intensification, especially in the immediate vicinity of the GO station, and will have the highest building heights in Port Credit (Section 10.2.2). Building heights will decrease towards the east and west of the precinct and demonstrate an appropriate transition if located near the Mainstreet Precinct (Policy 10.2.2.1 and 10.2.2.2). If lands near the GO station are designated Mixed Use or Utility, then development applications must incorporate the Port Credit GO Station Southeast Area Master Plan (Policy 10.2.2.3).

The proposed development exceeds height limits for the subject lands as identified in Schedule 2B (see Figure 15). However, the site location and building design still allow the proposed development to fulfill the intent, goals and objectives of the Local Area Plan. The proposed building incorporates appropriate separation distances from adjacent buildings, and a Shadow Study Analysis conducted by IBI found that the proposed development meets the City's standards for sun and daylight access on neighbouring properties and the public realm. The building heights identified in Schedule 2B were also outlined prior to funding approval for the Metrolinx Regional Express Rail project and Hurontario LRT, which will bring significant transit improvements and allow for greater intensification adjacent to these stations. The proposed building height of 22 storeys fulfills provincial and municipal planning policy to encourage intensification in MTSAs and Mobility Hubs, including the subject lands. Greater height and density on the subject lands also supports Section 5.2.2, which states that development near the GO Station and future LRT station could have additional height and density than currently permitted in the Local Area Plan.

Increased height and density are also consistent with recent development approvals in the surrounding area, most notably

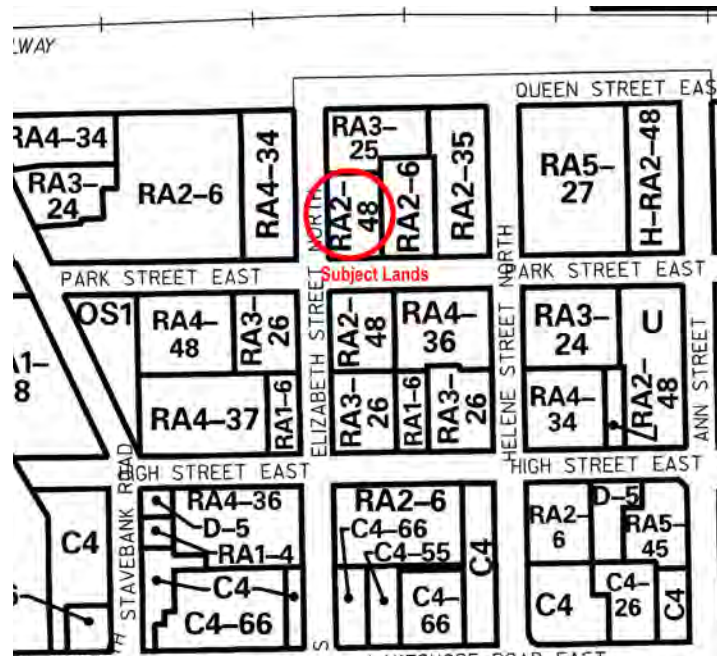


Figure 16 - Zoning for the subject lands

the recently approved mixed use development at 78 Park Street East and 22-28 Ann Street. Other developments further from the GO Station have been approved for greater heights than permitted in the Port Credit Local Area Plan including:

- 1 Hurontario Street at 22 storeys, while the Local Area Plan permits 2 to 6 storeys
- 25 Hurontario Street at 7 storeys, while the Local Area Plan permits 2 to 6 storeys
- 21-29 Park Street East at 15 storeys, while the Local Area Plan permits 2 to 10 storeys

Importantly, the location of the subject lands would also still allow for gradual transitions from the proposed 22-storey tower to lower density development on Stavebank Road and Lakeshore Road. As a result, the proposed height aligns with

recent transit investments, past development approvals and urban form policies as expressed in the Local Area Plan.

Summary

The proposed development has appropriate regard for the policies outlined in the Port Credit Local Area Plan. Based on Policy 10.1.2, a site-specific Official Plan Amendment is required to permit additional height and density on the subject lands. The requested increase in height and density is supportive of existing and planned transit, transitions to lower-density areas and policies that permit greater height and density in close proximity to the GO Station and future LRT stop.

4.7 City of Mississauga Zoning By-law 0225-2007

City of Mississauga Zoning By-law 0225-2007 regulates the use of land, buildings and structures and implements policies in the MOP. The By-law was passed by Council on June 20, 2007 and approved by the Ontario Municipal Board with the exception of site-specific appeals on September 10, 2007.

The subject lands are zoned Residential Apartment 2 with site-specific exception #48 (RA2-48) according to Zoning Map 08 (see Figure 16). The maximum building height is 26.0 metres or 8 storeys and maximum floor space index is 0.5. Permitted uses include apartments, long-term care buildings and retirement buildings. Exception RA2-48 permits additional uses including a detached dwelling, duplex or triplex legally existing on the date of passing of the By-law as well as accessory buildings and structures.

4.7.1 Zoning By-law Amendment Justification

The proposed use is permitted under the current permissions, but a Zoning By-law Amendment is required to permit the proposed height, density and other performance standards including setbacks and parking ratios. The existing Provincial,

Regional and Municipal policy frameworks encourage higher densities in proximity to existing services and developing densities that will support transit.

The subject lands are less than a block away from the Port Credit GO station, which also functions as a bus terminal and will have a stop for the future Hurontario LRT route. A variety of public transit connections are a short walk from the site. Given this access, the existing zoning does not allow for the full potential of the site to be reached. The proposed development will incorporate 258 residential units in close proximity and have a reduced parking standard to minimize the reliance on private automobiles and encourage a multi-modal transportation system.

Existing zoning is out of date as it was prepared in advance of the PPS, Growth Plan, MOP and PCLAP.

The proposed increase in density will further support providing a range of housing options through the incorporation of a variety of unit sizes that will accommodate many different household incomes and sizes. In addition, the proposal will contribute to achieving the density targets outlined for Mississauga by the Province and Region.

4.8 Additional Considerations

4.8.1 Metrolinx 2041 Plan

The Metrolinx 2041 Regional Transportation Plan ("RTP") builds on the Big Move and acts as a blueprint for creating an integrated, multi-modal transportation system to serve the needs of residents, businesses and institutions in the Greater Toronto and Hamilton area.

The Hurontario LRT is identified in Strategy 1 as an In Delivery project to be completed by 2022. The Waterfront West LRT, a proposed 22.3 kilometre light rail transit corridor that links downtown Brampton and Port Credit, is currently in

development. One of the proposed stops is located at the Port Credit GO station, a short walk from the subject property.

Metrolinx identifies the area of the subject lands as a Mobility Hub, places that are intended to include transit-supportive densities. The proposed development contributes to this goal through the addition of 258 residential units near existing and planned transit.

4.8.2 Metrolinx Port Credit Mobility Hub Master Plan Study

The Port Credit Mobility Hub Master Plan Study was completed by Metrolinx and the City of Mississauga in November 2011. The study developed a long-term vision for the Port Credit GO Station so it can continue to develop as a Mobility Hub.

In Section 3.1, the Study recommends the development of policy that permits a broad range of land uses within transit-oriented development areas to allow for flexible and creative solutions to meet market demands. It recognizes the opportunity to develop lands more intensively in the vicinity of a GO Transit Station to increase the number of people near the station, thus increasing ridership on the Lakeshore corridor. In 2015, Metrolinx released the Port Credit GO Station Southeast Area Master Plan Study to provide direction for redevelopment several blocks to the southeast of the GO Station. The Master Plan area is only two blocks east of the subject lands. The Study encourages reduced parking standards and allows maximum building heights of 22 storeys if the tower component of the building is primarily residential. Higher intensification and the tallest buildings should be closest to the GO Station, with a step down in height towards the waterfront.

4.8.3 Metrolinx GO Rail Station Access Plan

The December 2016 Metrolinx GO Rail Station Access Plan updates the 2013 GO Transit Rail Parking & Station Access Plan. It seeks to improve access to GO Stations via all modes

of travel including walking, transit, cycling, pick up/drop off, carpool passengers and drive and park. The Plan sets targets to increase transit and active transportation access to stations.

The proposed development aligns with the identified priority of supporting pedestrian access to GO stations as outlined in Section 4.4 and on Page 49. The Plan sets a target modal split of 30-32% by 2031 for pedestrians accessing the Port Credit GO Station (Page 49). The Plan states that this can be achieved through increased and transit-supportive densities at and around transit stations to create a compact built form and a critical mass of activity (4.4.2).

4.8.4 Port Credit Built Form Guide

The Port Credit Built Form Guide is not considered part of the PCLAP although it is used during the design and review of development applications. Selected content from the Built Form Guide was incorporated into Local Area Plan policies.

Building heights are addressed in Section 2.2. This section states that proposals for new buildings must make reference to their surroundings through footprint, setback, street and building alignment (Section 2.2), and the greatest heights in the Node should be located closest to the GO Transit Station and slope down to Lakeshore Road East (Section 2.2). The maximum height in the Port Credit Community Node should be 22 storeys due to its role within the urban hierarchy (Section 2.2). The proposed height does not exceed the maximum height for this community node, especially due to the subject lands' proximity to the GO Station. This location makes the Community Node's maximum height appropriate for the proposed development with sloping heights achieved on properties closer to Lakeshore Road.

Urban design for the Central Residential Precinct is outlined in Section 2.3.2 of the Built Form Guide. This section states that this area will have the highest buildings in Port Credit and

a more urban built form in order to provide a more conducive environment for pedestrians walking between the future LRT stop and GO Station (Section 2.3.2).

Built form guidelines are discussed in Section 2.4.1. Guidelines affecting the proposed development and subject lands include:

- Taller buildings must have a smaller floor plate size, except for at the lower level of the building in order to allow for greater design flexibility and a continuous street wall (Section 2.4.1);
- Buildings between 16 and 22 storeys should have a maximum floor plate of 800 m²;
- Taller buildings are required to be at least 40 metres away from other tall buildings (Section 2.4.2);
- New developments should maintain existing views to Lake Ontario and demonstrate how the building fits into the context through photographic imagery (Section 2.4.3);
- Tall buildings must be set back a minimum of 10 metres from side and rear property lines, and if those setbacks cannot be accommodated, then the site is considered too small to permit a tower (Section 2.4.4);
- Shadow and wind comfort studies are required for new developments (Section 2.4.5.1 and 2.4.5.2);
- Setbacks on residential streets, such as the subject lands, should be 4.5 to 7.0 metres depending on the character of adjacent developments and the configuration of the proposed building (Section 2.4.7);
- A minimum of 30% landscape area is required for all sites within the Central Residential Precinct (Section 2.4.9);
- Developments on residential streets should have generous setbacks, upgraded tree planting and landscape treatment, and new development should ensure that existing trees are preserved, maintained and enhanced (Section 2.4.10);
- Service, loading and garbage storage areas should be screened from the public realm (Section 2.4.11);
- All rooftop units should be internal to buildings and hidden from public view (Section 2.4.12);
- All mechanical penthouses should be designed and clad with materials to complement the building façade (Section 2.4.12);
- The portion of the roof not used as a mechanical penthouse should be developed as green roofs or usable outdoor amenity space (Section 2.4.12); and
- New developments should choose high-quality materials that reference their surroundings, most likely red tone brick (Section 2.4.13).

The proposed development fulfills the vast majority of these guidelines, except for the separation distances in Section 2.4.2 and side set back in Section 2.4.4. Regarding the 40 metre separation distance for tall buildings, the proposed development is 27.8 metres at the shallowest point from the existing 11-storey residential building to the north. For the most part, the buildings will be 29.3 metres apart. Nearby developments have been approved at separation distances of around 30 metres, including the recently approved development at 78 Park Street East and 22-28 Ann Street. The proposed development still achieves the intent of tower separation policy by avoiding overcrowding of skyviews and skyline, protecting view corridors and privacy of occupants. The proposed design

creates an elegant skyline while achieving an eclectic mix of building styles and heights within the local area.

The proposed development maintains privacy by only including a one-storey (8.0 metre tall) parking entrance on the east side of the building, with the 6-storey podium beginning 15.3 metres from the existing 6-storey building. Additionally, the proposed building does not cast an inappropriate shadow on the existing building according to the Shadow Study prepared by IBI. The west side of the existing building would have full morning and evening sun in June as well as full morning sun in September. According to IBI, this fulfills shadow impact requirements set by the City of Mississauga. Additionally, the proposed 7.8 metre set back does not impede future development on the site due to its larger size and intensification potential.

Overall, the proposed development has appropriate regard for the built form guidelines. The building has been located to follow the street lines and maintain a street wall. The 6-storey podium is greater in size with a step back incorporated to the tower portion which is below the 800 m² maximum. The Shadow and Wind Studies found that the proposed development meets City of Mississauga standards and would not cause adverse impacts on surrounding buildings or the public realm, especially with recommended strategies to mitigate wind in the winter months. Along the residential streets, a setback of 4.5 metres has been incorporated to ensure there is appropriate landscape buffer from the building. The service entrance that accesses the loading and garage areas is directed to the rear of the building away from the public realm. Both street frontages have been activated through the residential lobby and entrances to grade-related townhouse units.

4.8.5 Hurontario/Main Street Master Plan

The Hurontario/Main Street Master Plan sets the vision for linking Urban Growth Centres in Brampton and Mississauga.

The Master Plan covers Hurontario and Main Street from the Downtown Brampton Community to the Port Credit/Mineola Communities.

The Plan examined several options for transit connectivity on the corridor and ultimately recommended a new LRT line running from Downtown Brampton to the Port Credit GO Station. The goal is for the new LRT to integrate with existing Lakeshore GO Rail service at Port Credit Station. The LRT route would be accompanied by a robust pedestrian and cyclist strategy on the corridor.

Section 8.11 specifically identifies a vision for the Port Credit area within the corridor. The goal is to create a Gateway Mobility Hub centred on the GO Transit station that links GO trains with the Hurontario higher-order transit system, local transit and a potential Lakeshore Road higher order transit system (Section 8.11.1). The subject lands are not affected by specific setbacks, frontages, permitted uses or placemaking zones identified in the Master Plan. However, the proposed development does support the Master Plan's desire to improve the pedestrian link between the proposed Hurontario rapid transit station at Park Street East and the GO Transit Station by allowing residents to access both transit lines quickly and conveniently (Section 8.11.8). It also supports the Master Plan's policy of making Park Street function as a strong connection to the GO Station (Section 8.11.9).

**5.0 REVIEW OF OMB DECISION FOR
OMB FILE NO.: PL130153
(6, 8 AND 10 ANN STREET)**

On January 17, 2014, the Ontario Municipal Board (OMB) issued a decision refusing a proposal to redesignate land at 6, 8 and 10 Ann St from Mainstreet Commercial to residential High Density 1, and to add a special site policy to permit a 140-unit, 22-storey condominium apartment building with commercial uses at street level and surface parking to serve the abutting funeral home to the south.

The decision, as delivered by R. Rossi and order of the Board, found that the Ann Street proposal did not conform to current planning policies nor met the City's goal of preserving the character of Port Credit Village.

This section of the report provides a brief history of that decision and describes the key relevant differences between the Ann St proposal and 42-46 Park St E and 23 Elizabeth St N.

A review of the decision to refuse 6, 8 and 10 Ann St is relevant to the Park and Elizabeth proposal, as both sites are located within the area subject to the PCLAP and guided by the Port Credit Built Form Guide and both proposals are for 22 storey buildings and located within the Port Credit Community Node.

The Park and Elizabeth proposal is located within the Central Residential Precinct while 6, 8 and 10 Ann St is located within the Mainstreet Node Precinct. Schedule 2B of the PCLAP identifies height limits between 2 to 15 storeys for each site. Schedule 2B also identifies that the properties at 6, 8 and 10 Ann St are to "include appropriate transition to Lakeshore Road East."

Key relevant differences with respect to the two proposals as they relate to the Board's decision are described below as per the following sections:

- Growth Plan for the Greater Golden Horseshoe (2006,

2017, 2019);

- The Big Move Regional Transportation Plan (2008) and Port Credit Mobility Hub Study (2011)
- Mississauga Official Plan; and
- Port Credit Local Area Plan.

Growth Plan for the Greater Golden Horseshoe (2006, 2017, 2019)

The Growth Plan was first released in 2006 with amendments in 2012 and 2013 and two subsequent versions released in 2017 and 2019.

At the time of the OMB decision, the 2006 Growth Plan (amended in 2012 and 2013) was in effect. The Plan defined a MTSA as "the area including and around any existing or planned higher order transit station within a settlement area; or the area including and around a major bus depot in an urban core. Station areas generally are defined as the area within an approximate 500 m radius of a transit station, representing about a 10-minute walk."

Policy 2.2.3.6 b directed municipalities to develop and implement through their official plans a strategy and policies to phase in and achieve intensification that recognizes MTSA's as a "key focus for development to accommodate intensification." Policy 2.2.5 a directed that MTSA's be planned to achieve "increased residential and employment densities that support and ensure the viability of existing and planned transit service levels." However, in contrast to the 2017 and 2019 Growth Plans, the 2006 Growth Plan did not include minimum density targets for MTSA's.

Following the OMB's decision, the 2017 Growth Plan came into effect on July 1, 2017. Among the most critical changes

were the addition of several new policies to guide growth and change along identified Priority Transit Corridors and within MTSA.

2006 policies were substantially refined and strengthened with clear and specific targets established. Many of these policies were found in Section 2.2.4 of the 2017 Growth Plan with key changes including:

- New minimum density targets for Major Transit Station Areas along Priority Transit Corridors or subway lines:
 - 200 residents and jobs per hectare for areas served by subways;
 - 160 residents and jobs per hectare for areas served by LRT/BRT; and
 - 150 residents and jobs per hectare for areas served by the GO Transit rail network.

160 residents and jobs per hectare is now the minimum density target for the MTSA. This target was not a Provincial requirement at the time of the OMB decision.

- Identification of Priority Transit Corridors. These corridors were to be identified in municipal Official Plans, and generally include planned higher-order transit corridors and primary Regional Express Rail (RER) routes;

Hurontario Street and Metrolinx's Lakeshore West Corridor are both considered Priority Transit Corridors.

- A requirement for municipalities to prioritize planning for MTSA along Priority Transit Corridors, including introducing transit-oriented zoning;

Zoning By-law 0225-2007 was developed in 2007, prior to adoption of the 2017 Growth Plan.

- An emphasis on ensuring that land uses and built form within MTSA are transit supportive and do not adversely affect the achievement of the minimum density targets;
- A renewed emphasis on planning and designing all MTSA to support multimodal access, a mix of land uses, transit-supportive densities and alternative development standards;
- A new emphasis on lands adjacent to or near existing and planned Frequent Transit service, which should be planned to be transit supportive; and

At approximately 50 metres south from the Port Credit GO Station and 250 metres north from Lakeshore Rd E, Park and Elizabeth can be considered adjacent to or near existing planned Frequent Transit service. 6, 8 and 10 Ann St is significantly further at approximately 250 metres south from the Port Credit GO Station and 50 metres north from Lakeshore Road E.

The relationship of each property to the Port Credit GO Station and Lakeshore Road E is important in defining the character of the proposal. It is fair to state that Park and Elizabeth is more influenced by its relationship to the GO Station while 6, 8 and 10 Ann St is more influenced by its relationship to Lakeshore Rd E.

- A more robust policy framework to ensure that lands around transit stations or near frequent transit service are supportive of active transportation networks.

These policies, which were not in effect at the time of the OMB decision, are intended to strengthen the relationship between land use development and transit infrastructure planning. By focusing growth in areas that are supported by existing and planned transit services, the Growth Plan will help make more efficient use of transit infrastructure by achieving higher densities and driving ridership in locations that are well-served by transit. While the original Growth Plan policies set a context directing growth towards intensification, the new policies focus intensification around designated MTSAs.

Policies and density targets for MTSAs remained relatively unchanged between the 2017 and 2019 versions of the Growth Plan. The key difference is that the 2019 Growth Plan increased the radius for MTSAs from 500 m to between 500 to 800 m.

Provided that the majority of the Port Credit GO MTSA lands between 500 to 800 m represent stable low density neighbourhoods and will not change, it is reasonable to infer that properties within the Port Credit GO MTSA / Port Credit Mobility Hub identified on Figure 15 of the PCLAP as the Primary Study Area are required to increase their densities beyond levels initially assumed at the time of the OMB decision (see Figure 17).

The 2017 and 2019 Growth Plans require municipalities to update their Official Plans and zoning by-laws to achieve conformity with these policies that were not in place at the time of the OMB decision. Through the Region's ongoing Municipal Comprehensive Review Process, to be completed by 2022, municipalities will need to update the planning framework for MTSAs. Zoning by-law 0225-2007 will also need to be updated to ensure it implements Growth Plan policies for MTSAs.

New Growth Plan policies reinforce the shift towards transit-oriented development and higher-density urban form. The

more rigorous Growth Plan policies and targets provide a stronger rationale to support increased densities in MTSAs. In the interim, conformity exercises will require proposed developments around MTSAs to be individually evaluated against Growth Plan targets while municipalities work through the OP review process.

As described in Section 4.6, the primary objective of the PCLAP is to direct new development in a manner that maintains the village character of Port Credit. By focusing the greatest levels of intensification within the Primary Study Area, within which the Park and Elizabeth proposal is located and 6, 8 and 10 Ann St is not, many of the objectives of the Growth Plan and PCLAP can be met.

The Big Move Regional Transportation Plan (2008) and Port Credit Mobility Hub Study (2011)

Metrolinx's 2008 Regional Transportation Plan (RTP) and the Port Credit Mobility Hub Study were both completed prior to the OMB's decision. With respect to density, the 2008 RTP defined mobility hubs as "generally forecasted to achieve or have the potential to achieve a minimum density of approximately 10,000 people and jobs within an 800 metre radius." This translates to a density of 50 people and jobs per hectare. This number is significantly less than the 160 people and jobs per hectare minimum density target now required for the Port Credit GO MTSA.

The Port Credit Mobility Hub Study was completed in 2011. This Study did not identify an overall density target for the mobility hub. While it is entirely reasonable to assume that the suggested FSIs and building heights identified within the Study would exceed the 50 people and jobs per hectare minimum density requirement as identified in the 2008 RTP, it is less clear whether these densities would be enough to



Figure 17 - Figure 15 of the Port Credit GO MTSA from the Port Credit Local Area Plan

achieve the 160 people and jobs per hectare minimum target now required by the Growth Plan.

It should also be noted that at the time of the OMB decision, funding was not in place for Regional Express Rail or the Hurontario LRT.

Mississauga Official Plan (2011 and March 2019 Office Consolidation)

Pages 5 to 9 of the OMB decision discuss the Board's reading of MOP "directly applicable policies, which provide direction on how development shall proceed on sites such as these and in respect of the preservation and protection of nodal character." The three primary chapters of the MOP discussed in the decision are Chapters 9 (Building a Desirable Urban Form), 14 (Community Nodes) and 19 (Implementation). The following identifies key differences with respect to how policies identified in the OMB as not being reflected in the Ann St proposal are more appropriately reflected in the Park and Elizabeth proposal.

Chapter 9 Build a Desirable Urban Form

Policy 9.1.3 states that "infill and redevelopment within Neighbourhoods will respect the existing and planned character."

The decision states that the proposal for 6, 8 and 10 Ann St, while attractive and thoughtful, comes at the price of the design's failure to connect with the "established low-rise, Mainstreet commercial character of the very neighbourhood in which the building is proposed to be built." This statement is somewhat confusing as the proposal was located within the Port Credit Community Node, not within lands designated Neighbourhood within Section 16.21 Port Credit of the MOP. Nonetheless, in contrast to the Park and Elizabeth proposal which is located within the Central Residential Precinct, the

Ann St proposal is located within the Mainstreet Node Precinct (See Schedule 1 of PCLAP and Figure 18 of this report).

The defining feature of the Central Residential Precinct is the Port Credit GO Station and built form consisting of mid to high rise residential apartments. The defining feature of the Mainstreet Node Precinct is Lakeshore Rd W and its mainstreet commercial, low-rise character.

Policy 9.2.1.11 was identified as relevant for the Board's consideration of the building's failure to transition appropriate to its surroundings. The decision referenced the 2011 version of the MOP, which in the 2019 Office Consolidation version of the MOP is now policy 9.2.1.10, which states:

"Appropriate height and built form transitions will be required between sites and their surrounding areas."

The decision further reads that the "building offers minimal setbacks such that the Board deemed the renderings to cause a jarring effect when viewed in the context of the adjacent properties and especially in the context of the village character of Port Credit."

Again, the village character of Port Credit, presents very different attributes within the Mainstreet Node than it does within the Central Residential Precinct, particularly for sites north of Park St E.

Further, directly adjacent sites between the two proposals present a quite different context. As a corner lot, the directly adjacent properties to 6, 8 and 10 Ann St are to the south and west. To the south is a two storey funeral home and to the west is a two and a half-storey triplex. Also as a corner lot, properties directly adjacent to 42-46 Park St E and 23 Elizabeth St N include an 11 storey apartment building to the north and a six storey

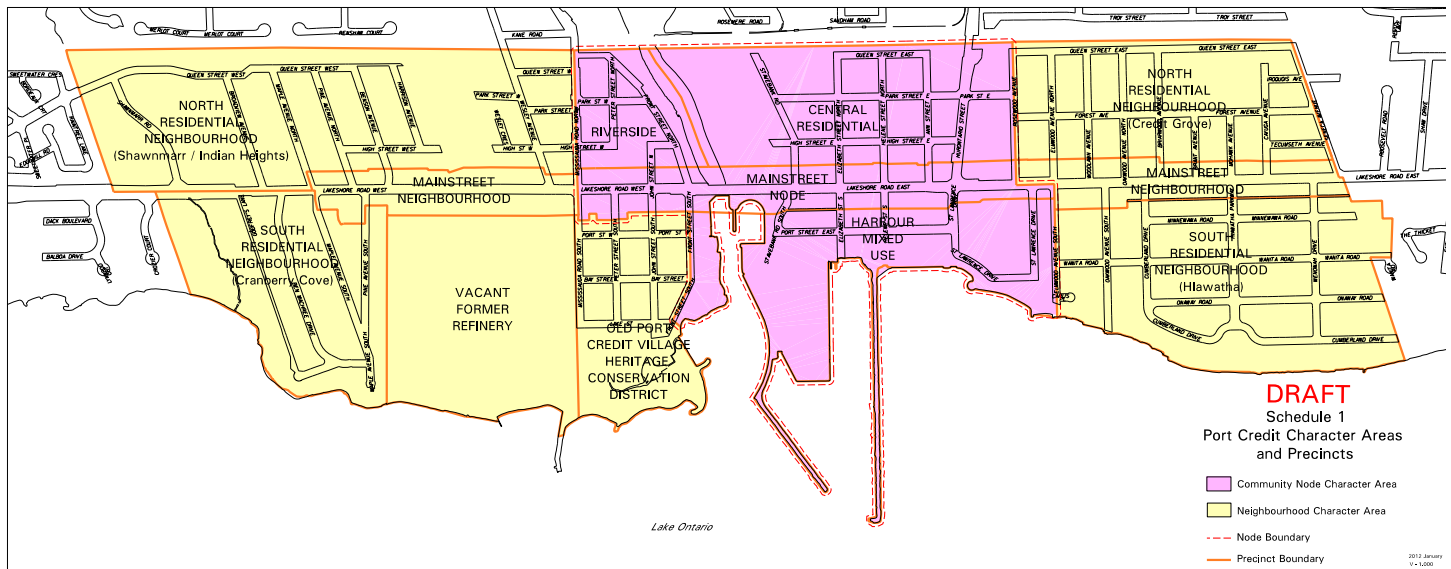


Figure 18 - Schedule 1 of the Local Area Plan

apartment building to the east (see photos on Page 48).

With respect to building setbacks, both buildings are located on residential streets. Section 2.4.7 Building Setback of the Port Credit Built Form Guide guides that on residential streets the setback of a building be between 4.5 and 7.0 m and the setback should ensure there is ample appropriate landscape treatment to fit in with the existing character of the community. The proposal includes setbacks of 4.5 m to both Park St E and Elizabeth St N, while the Ann St proposal had a setback of 1.2 m to Ann St.

The Park and Elizabeth Street proposal incorporates a tower above a six storey podium. The six-storey podium matches the six storey apartment to the east and the tower portion of the building is less than the 800 m² recommended maximum floorplate. Additionally, the Park and Elizabeth proposal incorporates a tower separation distance to the 11 storey building to the north between 27.8 and 29.335 m with the

majority of the separation distance being 29.335 m.

These differences in design result in a more appropriate height and built form transition for the Park and Elizabeth proposal.

Policy 9.5.1.2 directs: “Developments should be compatible and provide appropriate transition to existing and planned development by having regard for,” among other things, “the size and configuration of properties along a street, including lot frontages and areas; front, side and rear yards; and the local...character.”

The decision goes on to state that the Ann St proposal failed to account for its immediate surroundings, treating them as an afterthought, and that “Port Credit is characterized by a mix of building heights and massing, but there is proportionality in the interface relationship.” Spatial distances are miniscule between the Ann St proposal and neighbouring development such that proportional transition is not achievable. In the



2-storey funeral home located south of 6, 8 and 10 Ann Street



2.5-storey triplex located west of 6, 8 and 10 Ann Street



6-storey building and additional properties to the east of the subject lands at 42-46 Park Street East



11-storey building located to the north of the subject lands



Figure 19 - Aerial photo of the subject lands' relationship to the GO Station

Board's opinion, the development would create an abrupt change in height, scale and massing that offends the existing context. The decision goes further to state that "such development is better directed...to the lands abutting the GO Transit Station.

The Park and Elizabeth proposal is located between the GO Station / Queen St E and Park St E. Access to the GO Station is bordered by Queen St E., Elizabeth St N, Park St. E and Ann St. Nearly all existing and approved buildings located within this area are residential apartments. These include buildings of 6, 8, 11, 22 and 27 storeys.

The character of Port Credit north of Park St E contrasts directly with that surrounding 6, 8 and 10 Ann St, which is surrounded by low-rise dwellings. Further, the Park and Elizabeth proposal provides significantly greater separation

distances and setbacks than those proposed by the Ann St proposal.

Chapter 14 Community Node

The Board's decision references the Ann St proposal's failure to adequately respond to policies 14.1.1.3 a, b and d. These policies state:

Proposals for heights less than two storeys, more than four storeys or different than established in the Character Area policies will only be considered where it can be demonstrated to the City's satisfaction, that:

- a. an appropriate transition in heights that respects the surrounding context will be achieved;
- b. the development proposal enhances the existing or

planned development;

- d. the development proposal is consistent with the policies of this Plan

The surrounding context of existing and planned development within the Central Residential Precinct, particularly north of Park St E, differs from that of the Main Street Node Precinct.

The Central Residential Precinct contains a significant concentration of mid to high rise apartment buildings with potential for intensification, primarily in the immediate vicinity of the GO Station and will have the highest building heights in Port Credit. The Main Street Node Precinct is more low-rise in nature and includes part of Port Credit's traditional mainstreet, which generally extends a half block north and south of Lakeshore Rd. The primary attractor for the Central Residential District is the GO Station, while the primary attractor for the Main Street Node Precinct is Lakeshore Rd.

Provided the significant differences between the context of each precinct along with the greater setbacks and separation distances identified within the Park and Elizabeth proposal, it is our opinion that the Park and Elizabeth proposal more appropriately addresses and conforms to Policy 14.1.1.3.

Chapter 19 Implementation

With respect to implementation, the Board's decision again focuses on the Ann St proposal's failure to address compatibility with existing or planned land uses and forms, including transition in height, density and built form. Specific referenced policies include 19.4.3a, b and h. These state:

To provide consistent application of planning and urban design principles, all development applications will address, among other matters:

- a. the compatibility of the proposed development to existing or planned land uses and forms, including the transition in height, density, and built form;
- b. conformity with the policies in this Plan;
- h. the suitability of the site in terms of size and shape, to accommodate the necessary on site functions, parking, landscaping, and on site amenities.

The PCLAP, as discussed in section 4.6, identifies that sites near the GO Station are to include the highest intensity of uses.

The Park and Elizabeth proposal is located 50 m from the GO Station, compared to 250 m from the GO Station in the Ann St proposal. Properties immediately adjacent to the Park and Elizabeth proposal contain 11 and 6 storey slab residential apartments while a 13 storey slab residential apartment is located across Elizabeth St directly to the west. Each of these buildings have greater separation distances than the two-storey funeral home and two and a half-storey residential building adjacent to the Ann St proposal. While the Park and Elizabeth proposal is taller than its adjacent neighbours, it has a much smaller floorplate. Densities greater than that proposed for Park and Elizabeth have been approved within the Central Residential Precinct. Additionally, the Park and Elizabeth proposal is located equidistance to the GO Transit platform when compared to the existing 27 storey building at 70 Park St E and the 22 storey building recently approved at 78 Park St E and 22-28 Ann St.

With respect to the proposal's ability to accommodate necessary on site functions, parking, landscaping, and on site amenities; the Board was not impressed with the vehicular ingress/egress elements that require separation of parking functions by virtue of the site's compact and limited size. The

Park and Elizabeth proposal does not separate vehicular ingress/egress. Further in contrast to the Ann St proposal the greater setback for the Park and Elizabeth proposal ensures adequate space for street trees.

Therefore, based on the above, it is our opinion that the Park and Elizabeth proposal provides more compatible transition in height, density and built form, as well as suitability to accommodate on site functions.

Page 9 of the Board decision reads that the Ann St proposal “is better suited to areas of higher development intensification like the lands around the Port Credit GO Transit Station...” Page 9 and 10 further state that “the proposed tower is similar in size and scale to the existing high-rise building to the southeast and to the Northshore development and to the high-rise building to the north and west, but the site’s proximity to the Mainstreet commercial feature and its adverse impact on the overall character, coupled with clear direction from the City on the course and type of future development, make its realization at this location inappropriate.”

Port Credit Local Area Plan

The subject lands for both proposals are subject to the policies of the PCLAP.

Page 11 of the decision identifies that High St E and Ann St require setbacks of 4.5 metres to 7.0 metres as per the Built Form Guide and the proposed 1.2 metre setback to Ann St is insufficient. By comparison the Park and Elizabeth proposal includes setbacks of 4.5 m as per the Built Form Guide.

Section 2.2, Planned Building Heights, states that the greatest heights in the Community Node are generally located in the Central Residential Precinct closest to the GO Transit Station and buildings should generally slope down from the railway tracks to the north to Lakeshore Rd farther south. The Ann

St proposal failed to achieve this guideline while the Park and Elizabeth proposal is located 250 m from Lakeshore and in a block directly adjacent to the GO Station. Page 17 of the decision further states that “generous sky views and a sense of openness would be eroded if the City were to permit buildings above 15 storeys adjacent to the main street.” And on page 19, the applicant “will have to pursue development of this size and intensity at locations the City deems appropriate for such proposals, such as in the Port Credit GO Transit Station area...”

Policy 10.1.1 and 10.1.2 of the PCLAP read that an application must demonstrate:

- a. The achievement of the overall intent, goals, objectives of this Plan;
- b. Appropriate site size and configuration;
- c. Appropriate built form that is compatible with the immediate context and planned character of the area;
- d. Appropriate transition to adjacent land uses and buildings, including built form design that will maximize sky views and minimize visual impact, overall massing, shadow and overlook;
- e. Particular design sensitivity in relation to adjacent heritage buildings; and
- f. Measures to limit the amount of additional vehicular and traffic impacts on the Port Credit transportation network (Policy 10.1.2).

The Park and Elizabeth proposal exceeds height permissions in the PCLAP. However, the site location and building design still allow the proposed development to fulfill the intent, goals and objectives of the Local Area Plan. The proposed

building incorporates appropriate separation distances from adjacent buildings, and a Shadow Study Analysis conducted by IBI found that the proposed development meets the City's standards for sun and daylight access on neighbouring properties and the public realm. The building heights identified in Schedule 2B were also outlined prior to funding approval for the Metrolinx Regional Express Rail project and Hurontario LRT, which will bring significant transit improvements and allow for greater intensification adjacent to these stations. The proposed building height of 22 storeys fulfills provincial and municipal planning policy to encourage intensification in MTSAs and Mobility Hubs, including the subject lands. Greater height and density on the subject lands also supports Section 5.2.2, which states that development near the GO Station and future LRT station could have additional height and density than currently permitted in the Local Area Plan.

Increased height and density are also consistent with recent development approvals in the surrounding area, most notably the recently approved mixed use development at 78 Park Street East and 22-28 Ann Street. Other developments further from the GO Station have been approved for greater heights than permitted in the Port Credit Local Area Plan including:

- 1 Hurontario Street at 22 storeys, while the Local Area Plan permits 2 to 6 storeys
- 25 Hurontario Street at 7 storeys, while the Local Area Plan permits 2 to 6 storeys
- 21-29 Park Street East at 15 storeys, while the Local Area Plan permits 2 to 10 storeys

Importantly, the location of the subject lands would also still allow for gradual transitions from the proposed 22-storey tower to lower density development on Stavebank Road and Lakeshore Road. As a result, the proposed height aligns with

recent transit investments, past development approvals and urban form policies as expressed in the Local Area Plan.

Summary

In summary key differences between the Park and Elizabeth proposal and the Ann St proposal that identify the Park and Elizabeth proposal as more appropriate include the following:

- New Growth Plan policies have identified minimum density targets for the Port Credit GO MTSA of 160 people and jobs per hectare;
- The Park and Elizabeth proposal is located within the Port Credit Mobility Hub's Primary Study Area. An area more appropriate for higher levels of intensification;
- The Park and Elizabeth proposal is located within the Central Residential Precinct as opposed to the Main Street Node Precinct. The PCLAP identifies the Central Residential Precinct as that identified for the greatest planned and existing densities;
- The primary relationship of the Park and Elizabeth proposal is to the GO Station while the primary relationship of the Ann St proposal is to Lakeshore Rd E; and
- The Park and Elizabeth proposal has appropriate contextual relationship to its surrounding context including more appropriate transitions to existing built form.

Provided these key differences it is our opinion that the Park and Elizabeth proposal more appropriately conforms to the City's policies that seek to strike a balance between intensification and the local village character of Port Credit.

6.0 SUPPORTING STUDIES & KEY FINDINGS

6.1 Transportation Impact Study

LEA Consulting Ltd was retained to complete a Transportation Impact Study for the proposed development. This study reviewed the existing traffic conditions, analyzed the future background traffic conditions and site generated traffic to determine the future total traffic conditions. Parking and loading were also reviewed in addition to the preparation of a transportation demand management plan.

Based on a review of existing and future traffic conditions, all signalized and unsignalized intersections are expected to operate within capacity and with acceptable overall levels of service during all peak hours.

The proposed development is expected to generate about 63 and 73 two-way trips during the AM and PM peak hour, respectively. Based on the traffic analyses, it is concluded that the road network in the study area could support the traffic impact induced by the proposed development and therefore it is feasible from a transportation engineering perspective.

Comprehensive Zoning By-law 0225-2007 requires a total of 392 residential and visitor parking spaces, while 200 parking spaces are proposed. LEA submitted a parking justification study dated January 2020 in support of the development application for a proposed residential development at 22-28 Ann Street and 78 Park Street East (approximately 200 metres east of the subject site) that included parking utilization surveys at selected proxy sites. Subsequently, lower parking rates were confirmed with the City in March 2020 and adopted for the development. Based on the confirmed parking rates with the City, a total of 200 parking spaces is required for the proposed development.

The proposed development will provide bicycle parking spaces at the rates recommended in the City of Mississauga

Cycling Master Plan.

The proposed development meets the loading requirement of one space. There is adequate maneuverability through the subject property to provide access for garbage trucks and delivery vehicles.

Transportation Demand Management (TDM) opportunities and measures have been recommended to reduce vehicle usage and encourage people to engage in more sustainable transportation modes. They consist of pedestrian-based, transit-based, cycling-based and parking-based strategies.

6.2 Wind Study

A qualitative pedestrian wind assessment for the proposed development has been prepared by RWDI. The purpose of this study is to assess the effects of the proposed development on local pedestrian areas in and around the subject property.

The existing wind conditions are comfortable for the intended pedestrian use during the year. However, with the addition of the proposed building, higher wind speeds are anticipated throughout the year. The proposed development is not expected to produce significant wind impacts for the surrounding area, and the addition of future buildings is not anticipated to produce significant impacts.

The proposal has a couple positive design features from a wind perspective. The inclusion of a podium with a tower setback at levels 2 and 7 as well as the fact that the balconies have a significant cantilever and vary both in size and plan will help to reduce wind speeds.

The main building entrance and townhouse entrances are expected to be less than ideal, requiring some localized design modifications and/or wind control strategies. The service area is predicted to have uncomfortable winds in the winter. Given

that pedestrian use here is unlikely, this may be considered acceptable. If not, wind control suggestions have been made.

The elevated amenity deck at level seven is predicted to be less than ideal for passive summer use. Specific wind control measures are currently being explored and more detail will be given at a later stage. As per the Urban Design Terms of Reference, wind tunnel testing of a scale model will be required for this project to confirm these predictions and develop appropriate wind control strategies.

6.3 Acoustical Feasibility Study

J.E. Coulter Associates Limited was retained to conduct a Noise and Vibration Feasibility Study for the proposed development. The purpose of the study is to prepare recommendations to address noise and vibration issues from the development on itself and surrounding areas.

The primary source of transportation noise and vibration that has the potential to exceed guidelines is the railway corridor to the north of the subject lands. The study found that transportation sound levels exceed MECP guidelines and noise control measures will be required, including:

- All units will be supplied with central air conditioning and affected units will need to be supplied with Warning Clause D in their *Agreements of Purchase and Sale or Lease*;
- Terraces and private balconies greater than 4m in depth are currently not proposed. If included, such areas should be reviewed for noise control measures, where required.
- Assuming a 2.0 metre tall acoustic barrier (which can double as a wind screen), the sound levels in the 7th floor outdoor amenity area are expected to meet the

guideline limit of 60 dBA. Further noise control is not recommended;

- Vibration control is not required as the vibration levels were measured to be well below 0.14 mm/s RMS.
- Prior to the building permit application, or at such a time when the final design is completed, a review of the proposed development's mechanical and electrical equipment should be completed to ensure that applicable noise guidelines are met at the surrounding areas as well as at the future development itself.

6.4 Tree Inventory/Tree Preservation Plan and Arborist Report

Kuntz Forestry Consulting Inc. was retained to prepare the Tree Inventory and Preservation Plan Report for the subject property. The purpose of this report is to prepare an inventory of existing tree resources over 10 cm DBH on and within 6 metres of the property and all trees within the road right-of-way. Based on the prepared inventory, an evaluation of tree saving opportunities was completed. Key findings include:

- The tree inventory was conducted on April 13, 2020 and documented 28 trees on and within six metres of the subject properties and within the City right-of-way;
- The removal of 25 trees is required to accommodate the proposed development;
- The remaining 3 trees can be saved;
- 20 trees are greater than 15 cm DBH. Therefore, a permit is required prior to the removal of these trees;
- 2 trees are located within the City right-of-way and will require a permit prior to their removal;

- 9 trees are boundary or neighbouring trees and letters from their respective landowners are required prior to their removal;
- The preservation of the remaining three trees will be possible with the use of appropriate tree protection measures;
- Tree protection barriers and fencing should be erected at locations in accordance with Figure 1 in the Tree Inventory and Preservation Plan Report. All tree protection measures should follow the guidelines as set out in the tree preservation plan notes and the tree preservation fencing detail;
- Branches and roots that extend beyond prescribed tree protection zones that require pruning must be pruned by a qualified Arborist or other tree professional; and
- Site visits, pre, during and post construction are recommended by either a certified consulting arborist or registered professional forester to ensure proper utilization of tree protection barriers. Trees should also be inspected for damage incurred during construction to ensure appropriate pruning or other measures are implemented.

6.5 Functional Servicing Report

WSP Canada Group Limited was retained to prepare a Functional Servicing Report to assess the servicing requirements for the proposed development.

One water service connection is proposed from the existing 300 mm watermain on Elizabeth Street. The connection on Elizabeth Street is proposed to provide one 100 mm domestic water connection and one 150 mm fire connection. A Hydrant flow test of watermains in the area has shown that the local

watermains have sufficient capacity to provide fire protection to the proposed development. The existing public fire hydrant on Park Street East will be less than 45 m from the Siamese connection. Water service design within Region's Right-of-Way will be designed to meet the standards and specifications of the Region of Peel, while services within the building are to be designed by the mechanical consultant per the Ontario Building Code, and coordinated with WSP.

One sanitary sewer service connection is proposed, which will be conveyed to the existing 200 mm sanitary sewer on Park Street East. The connection will be 200 mm diameter. The proposed sanitary service connection within the Region's right-of-way will be designed to meet the standards and specifications of the Region of Peel, while services within the building are to be designed by the mechanical consultant per the Ontario Building Code, and coordinated with WSP.

Minor and major storm drainage for the proposed development will be collected by the internal site drainage system and directed into the proposed Stormwater storage tank. The flow will be controlled to the allowable flow levels and released to the existing 300 mm storm sewer on Elizabeth Street. The existing storm sewer system will not be adversely affected by the post-development condition as the rate of Stormwater release from this site will be decreased.

A separate Stormwater Management report has been prepared to address requirements concerning Stormwater management.

6.6 Stormwater Management Report

WSP also prepared a Stormwater Management Report in support of the proposed development. The purpose of this report is to examine the potential water quality, quantity, balance and erosion impacts of the proposed development

and summarize how each parameter will be addressed in accordance with the City of Mississauga Development Requirements Manual dated September 2016.

The objectives of the stormwater management plan are as follows:

- Determine site specific stormwater management requirements to ensure that the proposal is in conformance with the City of Mississauga Development Requirements Manual;
- Evaluate various stormwater management practices that meet the requirements of the City and recommend a preferred strategy; and
- Prepare a stormwater management report documenting the strategy along with the technical information necessary for the justification and preliminary sizing of the proposed stormwater management facilities.

Key conclusions from the stormwater report include:

- The site is required to retain the runoff volume from a 5 mm rainfall event, which is equivalent to 9.97 m³, for water reuses. A sump volume of 9.35 m³ is provided in the stormwater cistern to meet the volume reduction requirement. The reuse method of stored runoff is still to be determined but could include irrigation of the landscaped areas and cleaning or maintenance of the building's facilities;
- A PMSU2015-4 oil and grit separator is proposed to provide the required Enhanced level protection by capturing 99.6% of the annual runoff and removing 88.4% of the TSS for the areas discharging to Elizabeth Street North. No quality control is provided for the small uncontrolled area to Park Street East due to grading

constraints;

- The stormwater cistern has a total available storage of 106.8 m³ and will be controlled by a pump located 0.35 metres above the base of the cistern with a maximum discharge rate of 6.5L/s. The pump will discharge to a discharge manhole where a 75 mm orifice tube, located at the base of the manhole, further controls the discharge before it flows by gravity to the municipal storm sewer on Elizabeth Street North. A small area of the site will discharge uncontrolled to Park Street East. Post-development flows have been controlled to below the allowable release rate for the site; and
- No long-term erosion control is required for the proposed development.

6.7 Shadow Study

IBI Group Architects was retained to prepare a Shadow Study for the proposed development. The purpose of the study is to address specific shadow standards set by the City of Mississauga Planning and Building Department. The study found that the proposed development does not cause undue impacts with respect to shade and meets the City's standards for sun and daylight access on neighbouring properties and the public realm. Detailed results include:

- Criteria for Residential Private Outdoor Amenity Spaces is met for June 21st and September 21st as there is no shadow impact for more than two consecutive hourly test times on private outdoor amenity spaces;
- Port Credit Memorial Park and other communal outdoor amenity areas are not impacted by the proposed development;
- The proposed development allows full sunlight on the

opposite boulevard between the time standards set for low and medium density residential streets;

- The proposed development allows full sunlight on the opposite boulevard on September 21 from 12:12 pm to 2:12 pm and 10:12 am to 11:12 am, the requirement for mixed use, commercial, employment and high density streets. The shadow partially impacts Elizabeth Street North at 9:12 am;
- The proposed development does not cast incremental shadows on any nearby public open spaces, parks or plazas;
- Full sun is provided in turf and flower gardens in public parks from 8:35 am to 15:12 pm; and,
- Surrounding low-rise residential buildings would still be able to use solar energy given the shadow impact of the proposed development.

6.8 Phase One Environmental Site Assessment

Grounded Engineering Inc. was retained to complete a Phase One Environmental Site Assessment (ESA) for the subject lands. This process includes a records review of historical and current occupancies and activities, interviews with available personnel about historical and current activities, site reconnaissance and evaluation of information.

The ESA found the first developed use of the subject lands was for residential purposes in the early 1900s with no historical industrial use. Potentially Contaminating Activities identified near the subject lands were found to be unlikely to cause contamination on the site.

No Areas of Potential Environmental Concern (APECs) were identified on the Property. As a result, a Phase Two ESA will

not be required prior to the submission of a Record of Site Condition.

6.9 Archaeological Assessment

The Archaeologists Inc. was retained to prepare a Stage 1 & 2 Archaeological Assessment for the subject lands. The Stage 1 background study found the subject lands exhibited potential for the recovery of archaeological resources of cultural heritage value, therefore requiring a Stage 2 assessment.

The corresponding Stage 2 property assessment included a property survey and test pit survey on undisturbed portions of the property. Approximately half of the subject lands were subject to a systematic test pit survey at 5 metre intervals. The Stage 2 assessment did not result in the identification of archaeological resources. No further archaeological assessments on the subject lands are required.

6.10 Housing Report

Sajecki Planning Inc. was retained to prepare a Housing Report for the subject lands. The purpose of the Housing Report is to identify the proposed affordable housing strategy to be incorporated into the development, provide a planning rationale based on housing policies and objectives and provide an analysis of how the housing proposal represents good planning and addresses housing targets.

The report found that the proposed development addresses housing targets in the following ways:

- It will add 258 new residential units to the housing stock;
- It will provide new housing supply through infill and make better use of an underutilized property;
- The new housing supply is being directed to an area intended to experience growth, particularly in the form

of high-rise apartment buildings;

- The new housing supply will be appropriately serviced by existing infrastructure, including existing and planned public and active transportation routes;
- The proposed tower represents an upgraded built form with energy efficient design standards;
- The proposed built form will contribute to the range of housing options in the City of Mississauga and the Port Credit area; and
- The proposal will provide affordable ownership units, with the total amount and type of units to be sold as affordable intended to be determined and confirmed at a later time in the development approvals process through close coordination with City Staff.

7.0 PLANNING ANALYSIS

As outlined in Section 4.0 of this Report, the proposed development, Official Plan Amendment, and Zoning By-law Amendment are consistent with and conform to planning policy at the Provincial, Regional and Municipal levels. The following sub-sections highlight key planning components of the proposal and outline how the proposed development reflects good planning.

6.1 Built Form and Design

The proposed built form and design are compatible with the subject lands and reflective of the intent and goals of planning policies, especially those provided in the PCLAP.

The proposed development features a 6-storey podium with a setback to the tower portion. The tower floor plate is below the maximum 800 m², which visually reduces the building footprint, avoids overcrowding of skyviews and protects view corridors. The tower is also directed to the south of the site, away from the 11-storey building located to the north of the subject lands. This increases the separation distance between the two tall buildings and helps to fulfill the intent of built form policies in the PCLAP and Built Form Guide by maximizing privacy, reducing shadow impacts and protecting views.

The proposed development also provides appropriate setbacks and landscaping on Park Street East and Elizabeth Street North. This will help activate the street facades and enhance the public realm around the subject lands.

6.2 Height and Density

The PCLAP limits height on the subject lands to 15 storeys. However, the proposed 22-storey height is consistent with broader planning policy due to the site's location one block south (less than a 3-minute walk) of the Port Credit GO Station and near a future Hurontario LRT stop.

It is critical to balance growth with existing character in Port Credit, which can be best achieved by directing intensification

to lands in close proximity to the GO Transit Station and within the MTSA. This is consistent with planning policy at all levels, including the Growth Plan and PCLAP. The recent approval of a 22-storey development at 78 Park St East and 22-28 Ann Street, one block east of the subject lands, demonstrates how intensification near the GO Station is supportive of broader planning goals.

The proposed increase in height and density is also supportive of surrounding areas. Studies show the building will not create adverse wind, noise or shadow impacts on nearby buildings or land.

6.3 Transit and Active Transportation Supportive

The proposed development furthers goals at the Provincial, Regional and Municipal level to support development that encourages the use of transit and active transportation while minimizing vehicle trips. The subject lands are in close proximity to the Port Credit GO Station, which provides GO Train service as well as a bus station. Significant transit investments will further improve access for the subject lands by upgrading GO Train service and adding a future Hurontario LRT stop in the next few years. Due to this level of existing and future transit service, the proposal includes a reduced parking rate to further encourage a multi-modal transportation system in Port Credit and Mississauga.

The subject lands are also within walking distance to Lakeshore Road, which features a mix of commercial, retail and office uses, as well as the open space network at the Lake Ontario waterfront. The Port Credit Library, Memorial Arena, Memorial Park and other facilities are also within close walking or biking distance from the proposed development.

Overall, the proposal supports planning policy to promote healthy and complete communities that offer a range of opportunities to access transportation, housing, employment, the environment, recreation and more.

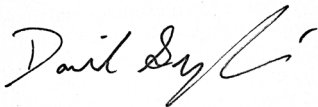
8.0 CONCLUSION

Based on the information outlined in this Planning Justification Report and the findings identified in the supporting technical reports and studies, we are of the opinion that the proposed development, Official Plan Amendment and Zoning By-law Amendment represent an appropriate redevelopment for the subject property. Based on the existing and planned transportation network, the surrounding area context and active development applications, as well as the comprehensive analysis of the proposed development within the existing planning policy framework, we believe that the proposal represents good planning and we conclude the following:

1. The proposed development, Official Plan Amendment and Zoning By-law Amendment are consistent with the Provincial Policy Statement (2020);
2. The proposed development, Official Plan Amendment and Zoning By-law Amendment conforms to the Growth Plan (2019);
3. The proposed development, Official Plan Amendment and Zoning By-law Amendment conforms to the policies of the Region of Peel Official Plan (2018);
4. The Official Plan Amendment conforms to the general intent and purpose of the City of Mississauga Official Plan (2019) including the Port Credit Local Area Plan;
5. The proposed development and Zoning By-law Amendment conforms to the City of Mississauga Official Plan (2018);
6. The proposed development does not create any adverse impacts to the surrounding area; and
7. The proposed development can be appropriately serviced by the existing and planned infrastructure of the area.

It is our professional land use planning opinion that the proposed 22-storey residential building is appropriate, desirable and will further support the City of Mississauga in achieving complete communities supported by a multi-modal transportation system. As such, the Official Plan and Zoning By-law Amendments should be approved to implement the proposed development at 42-46 Park Street East and 23 Elizabeth Street North.

Respectfully submitted



David Sajecki
MCIP RPP M.PL B.Eng. LEED AP
Partner
Sajecki Planning Inc.

APPENDICES

Appendix A: Submission Checklist

Submission Requirements Checklist

Type of Application:

- ☒ Official Plan Amendment (OPA)
- ☐ Removal of H (H-OZ)
- ☒ Rezoning (OZ)
- ☐ Plan of Subdivision (T)

Planning and Building Department
Development and Design Division
300 City Centre Drive
Mississauga, ON L5B 3C1
Tel: 905-896-5511
www.mississauga.ca



General Information		
Address / Legal Description of Site 42-46 Park St. E. & 23 Elizabeth St N.	Ward No. 1	Meeting Date UPDATED: April 6, 2020
Description of Proposal A 15-storey residential apartment building (185 units) and 4 levels of u/g parking		
Applicant Name Kelly Martel, MHBC Planning	Planner Name D. Ferro	Pre-Application Meeting No. DARC 19-318

General Requirements	Required Reports / Studies (7 copies each, unless noted below)
<input checked="" type="checkbox"/> Complete Application Form	<input checked="" type="checkbox"/> Planning Justification Report
<input checked="" type="checkbox"/> City Application Fees / Deposits	<input checked="" type="checkbox"/> Parking Utilization Study
<input checked="" type="checkbox"/> Commenting Agency Fee Collection Form	<input type="checkbox"/> Urban Design Study (contact UD for TOR)
<input checked="" type="checkbox"/> Region of Peel Commenting Fee	<input checked="" type="checkbox"/> Sun/Shadow Study
<input type="checkbox"/> Conservation Authority Review Fee (CVC)	<input checked="" type="checkbox"/> Wind Study
<input checked="" type="checkbox"/> Cover Letter	<input checked="" type="checkbox"/> Digital 3D Building Mass Model (SketchUp)
<input checked="" type="checkbox"/> Context Plan / Map (40 copies)	<input checked="" type="checkbox"/> Acoustical Feasibility Study
<input checked="" type="checkbox"/> Concept / Site Plan (40 copies)	<input checked="" type="checkbox"/> Arborist Report
<input checked="" type="checkbox"/> Grading / Site Servicing / Underground Parking Plan (35 copies)	<input checked="" type="checkbox"/> Tree Inventory / Tree Preservation Plan
<input checked="" type="checkbox"/> Survey Plan (40 copies)	<input checked="" type="checkbox"/> Easements / Restrictions on Title
<input type="checkbox"/> Draft Plan of Subdivision (50 copies)	<input type="checkbox"/> Streetscape Feasibility Study
<input checked="" type="checkbox"/> Building Elevations (7 copies)	<input checked="" type="checkbox"/> Traffic Impact Study
<input checked="" type="checkbox"/> Official Plan – Table/List of requested Site-Specific Exemptions (3 copies)	<input checked="" type="checkbox"/> Transportation Demand Management Strategy
<input checked="" type="checkbox"/> Zoning By-law – Table/List of requested Site-Specific Exemptions (3 copies)	<input checked="" type="checkbox"/> Operations and Safety Assessment
<input checked="" type="checkbox"/> Draft Notice Sign Mock-up (1 copy)	<input type="checkbox"/> Slope Stability Study / Top of Bank Survey
<input checked="" type="checkbox"/> Digital copy (PDF format) of all required documents, plans, drawings, studies and reports on USB memory stick (2 memory sticks)	<input type="checkbox"/> Environmental Impact Statement – Type (i.e. minor or major) to be determined following site visit prior to application submission (9 copies)
<input checked="" type="checkbox"/> List of Low Impact Design Features for Site and Building (1 copy)	<input checked="" type="checkbox"/> Functional Servicing Report (FSR) (9 copies)
<input checked="" type="checkbox"/> Urban Design Advisory Panel	<input checked="" type="checkbox"/> Stormwater Management Report
<input checked="" type="checkbox"/> Pre-Submission Community Engagement Meeting (at Councillor’s discretion)	<input type="checkbox"/> Geotechnical Report
Other Requirements / Notes	<input checked="" type="checkbox"/> Phase 1 Environmental Site Assessment
<input checked="" type="checkbox"/> Region - Waste Management Plan	<input type="checkbox"/> Phase 2 Environmental Site Assessment
	<input type="checkbox"/> Heritage Impact Assessment
	<input checked="" type="checkbox"/> Archaeological Assessment
	<input checked="" type="checkbox"/> Housing Report

Other Information
<ul style="list-style-type: none">• Application forms can be obtained at http://www.mississauga.ca/portal/residents/pbformscentre• Terms of References can be found at http://www.mississauga.ca/portal/residents/terms-of-reference• Additional information/reports/studies/plans may be required upon submission of the application.• This checklist is valid for one (1) year from the date of the meeting or at the discretion of the Director of Development and Design or his/her designate. In the event that the checklist expires prior to the application being submitted, and/or new policy and/or by-laws apply, another updated checklist may be required.• As part of the Public Engagement Strategy for a complete application, and where deemed necessary by City Staff, the applicant will be required to host a Community Engagement Meeting prior to submitting an application with surrounding residents to inform the community of the contemplated development proposal and to gather feedback. Further details on the meeting can be obtained by the Planner assigned to the file.• Application submission is by appointment only. To book an appointment, please phone 905-615-3200 ext. 4199 or by email at sanja.blagojevic@mississauga.ca• Applicants should consult with the Planning Services Centre of the Development and Design Division to verify the application fee calculation before preparing a cheque. Send your completed Fee Calculation Worksheet (in the application form) to plans.devdes@mississauga.ca for review.

Appendix B: Official Plan Amendment

The Corporation of the City of Mississauga

By-law Number _____

A by-law to Adopt Mississauga Official Plan Amendment No. XX

WHEREAS in accordance with the provisions of section 17 or 22 of the *Planning Act*, R.S.O.1990, c.P.13, as amended, Council may adopt an Official Plan or an amendment thereto;

AND WHEREAS, pursuant to subsection 17(10) of the *Planning Act*, the Ministry of Municipal Affairs and Housing may authorize the Regional Municipality of Peel, an approval authority, to exempt from its approval any or all proposed Local Municipal Official Plan Amendments;

AND WHEREAS, Regional Council passed By-law Number 1-2000 which exempted all Local Municipal Official Plan Amendments adopted by local councils in the Region after March 1, 2000, provided that they conform with the Regional Official Plan and comply with conditions of exemption;

AND WHEREAS, the Commissioner of Public Works for the Region of Peel has advised that, with regard to Amendment No. XX, in his or her opinion the amendment conforms with the Regional Official Plan and is exempt;

NOW THEREFORE the Council of the Corporation of the City of Mississauga ENACTS as follows:

1. The following explanatory text attached hereto, constituting Amendment No. XX to Mississauga Official Plan, specifically the Port Credit Community Node within the Port Credit Local Area Plan, of the City of Mississauga Planning Area, are hereby adopted.

ENACTED and PASSED this ____ day of _____, 2020.

Signed _____
MAYOR

Signed _____
CLERK

**EXPLANATORY NOTE TO PROPOSED
OFFICIAL PLAN AMENDMENT
NUMBER XX**

**TO THE MISSISSAUGA OFFICIAL PLAN OF THE
CITY OF MISSISSAUGA PLANNING AREA**

City of Mississauga File No. _____

The Proposed Official Plan Amendment applies to lands located at the north-eastern corner of Park Street East and Elizabeth Street North, in the City of Mississauga. The lands are legally described as PLAN 300E PT LOT 8; PLAN 300 PT LOT 8 RP 43R2685 PARTS 1,3; PLAN 300E PT LOT 8 RP 43R2685 PART 2 PART 4; and, PLAN 300-E PT LOT 8, and are municipally known as 42, 44, and 46 Park Street East and 23 Elizabeth Street North.

The purpose of the Official Plan Amendment is to amend the height limit applying to the subject lands as contained in Schedule 2B of the Port Credit Local Area Plan. This Official Plan Amendment proposes to introduce Special Site XX to Section 13.0 of the in-force Port Credit Local Area Plan in order to permit a residential building with a height of 22-storeys.

Amendment No. XX
To
Mississauga Official Plan

The following text and schedules attached constitute Official Plan Amendment No. XX.

PURPOSE

The purpose of this Amendment is to amend the height limit applying to the subject lands located at the north-eastern corner of Park Street East and Elizabeth Street North as contained in Schedule 2B of the Port Credit Local Area Plan, with a Special Site policy.

The Amendment will permit the development of a proposed 22-storey residential building with a 6-storey podium and six grade-related townhouses on the subject lands.

LOCATION

The subject lands affected by this Amendment are located at 42-46 Park Street East and 23 Elizabeth Street North, located at the north-eastern corner of the Park Street East and Elizabeth Street North intersection. The subject lands are located within a Community Node Character Area in the Port Credit Local Area Plan of the Mississauga Official Plan.

BASIS

The subject lands are located within the Port Credit Community Node in the Port Credit Local Area Plan. The subject lands are designated *Residential High Density* and located within an area identified as part of the Central Residential Precinct. This area is identified in the Port Credit Local Area Plan as a place to accommodate the greatest level of intensification within Port Credit and a more urban and transit-supportive built form. Permitted building heights for the subject lands range from 2 to 15-storeys.

The proposed development for the subject lands consists of a 22-storey residential building, including a 6-storey podium and six grade-related townhouses with frontage on Elizabeth Street North. The proposed development includes private indoor and outdoor amenity spaces, at-grade landscaping, 200 underground vehicle parking spaces and 202 bicycle spaces.

Schedule 2B of the Port Credit Local Area Plan prescribes a height limit of 2 to 15-storeys on the subject lands. The Official Plan Amendment will seek to allow a 22-storey building on the subject site.

This Amendment will introduce a Special Site X to Section 13.0 of the Port Credit Local Area Plan, in order to permit the proposed 22-storey residential building. The proposed Official Plan Amendment to permit additional height and density on the subject lands is appropriate from a planning standpoint and should be approved for the following reasons:

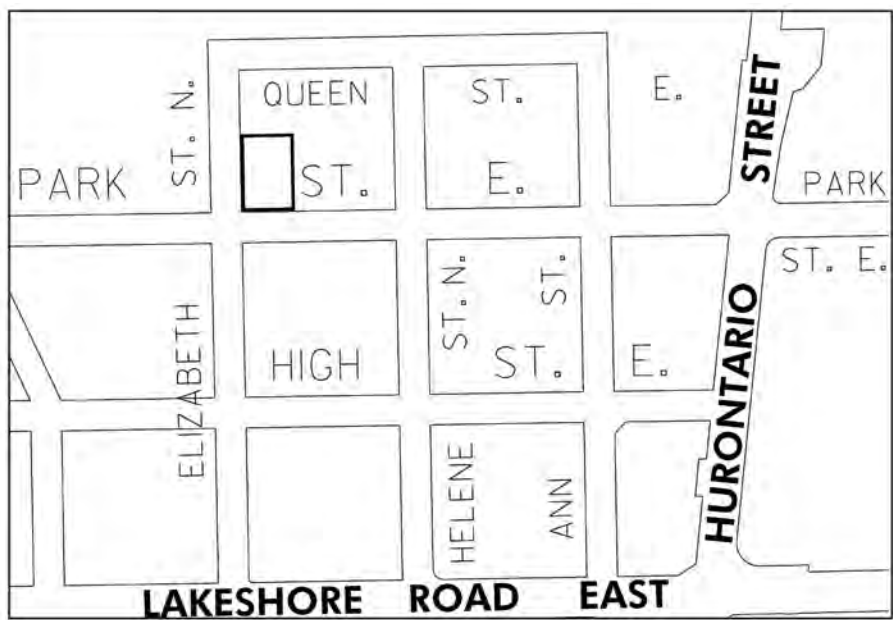
1. This amendment is supportive of the policy framework expressed in the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and the Region of Peel Official Plan all of which promote a range and mix of housing as well as redevelopment of underutilized lands within built up areas that are well served by transit and existing infrastructure.
2. The policies and objectives of the Mississauga Official Plan are supported by the proposal as it contributes to the range of housing types, sizes and tenure; it is compatible from a density, scale and massing perspective; and it efficiently and effectively utilizes existing community infrastructure and facilities.

- 3. The proposed development represents a compact land use pattern that makes more efficient use of land and existing infrastructure resources, including nearby transit services. The subject are located within the Primary Study Area for the Port Credit Mobility Hub Study and within a designated Major Transit Station Area, which is recognized in the provincial Growth Plan and in the Mississauga Official Plan as a focus area for higher density transit-oriented development.
- 4. The greatest densities within the Port Credit Community Node are to be located within the Central Residential Precinct, particularly within proximity of the Port Credit GO Transit Station. The proposed development responds to the built form and scale of the surrounding Port Credit context, in particular the existing and evolving context of the Central Residential Precinct.

DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

- 1. The Port Credit Local Area Plan Special Site Policies are hereby amended by adding the following key map and text to Section 13.1 as Special Site XX:

13.1.XX Site X



13.1.XX.X The lands identified as Special Site XX are located at the north-eastern corner of Park Street East and Elizabeth Street North.

13.1.XX.X Notwithstanding the provisions of the Desirable Urban Form policies, a residential building with a maximum height of 22-storeys is permitted.

IMPLEMENTATION

Upon the approval of this Amendment by the Council of the Corporation of the City of Mississauga, the Mississauga Official Plan and the Zoning By-law applicable to the subject lands will be amended to the appropriate classification, in accordance with the intent of this Amendment.

Provisions will be made through the rezoning and site development plan approval process of the lands subject to the Amendment, for development to occur subject to the approved site development plan, to ensure that development occurs in accordance with the intent of the Amendment.

Provisions will be made through the rezoning of the lands subject to this Amendment, for development to occur subject to approved site development, architectural and landscape plans,

to ensure that site access, buildings, parking and landscaping are satisfactorily located and designed.

INTERPRETATION

The provisions of the Mississauga Official Plan, as amended from time to time regarding the interpretation of that Plan, shall apply in regard to this Amendment.

This Amendment supplements the intent and policies of the Local Area Plan.

Upon approval of this Amendment, Section 13.0 of the Port Credit Local Area Plan will be amended in accordance with the intent of this Amendment.

Appendix C: Zoning By-law Amendment

Draft Zoning By-law Amendment

42-46 Park Street East and 23 Elizabeth Street

Zone Regulations		RA5 Zone Requirement	RA5-XX Zone Proposed
2.0	Permitted Uses	Residential Uses: Apartment Long-Term Care Building Retirement Building	
3.0	Minimum Lot Frontage	30.0 m	--
4.0	Minimum Floor Space Index-Apartment Zone	1.9	--
5.0	Maximum Floor Space Index-Apartment Zone	2.9	8.96
6.0	Maximum Gross Floor Area-Apartment Zone Per Storey For Each Storey Above 12 Storeys	1,000 m ²	--
7.0	Maximum Height	77.0 m and 25 Storeys	75.0 m and 22 Storeys
8.0	Minimum Front and Exterior Side Yards		
8.1	For that portion of the dwelling with a height less than or equal to 13.0 m	7.5 m	4.5 m front yard setback 4.5 m exterior side yard setback
8.2	For that portion of the dwelling with a height greater than 13.0 m and less than or equal to 20.0 m	8.5 m	4.5 m front yard setback 4.5 m exterior side yard setback
8.3	For that portion of the dwelling with a height greater than 20.0 m and less than or equal to 26.0 m	9.5 m	4.5 m front yard setback 4.5 m exterior side yard setback
8.4	For that portion of the dwelling with a height greater than 26.0 m	10.5 m	4.5 m front yard setback 4.5 m exterior side yard setback
9.0	Minimum Interior Side Yard		
9.1	For that portion of the dwelling with a height less than or equal to 13.0 m	4.5 m	0.8 m
9.2	For that portion of the dwelling with a height greater than 13.0 m and less than or equal to 20.0 m	6.0 m	0.8 m
9.3	For that portion of the dwelling with a height greater than 20.0 m and less than or equal to 26.0 m	7.5 m	0.8 m
9.4	For that portion of the dwelling with a height greater than 26.0 m	9.0 m	7.5 m
9.5	Where an interior side lot line , or any portion thereof, abuts an	4.5 m	--

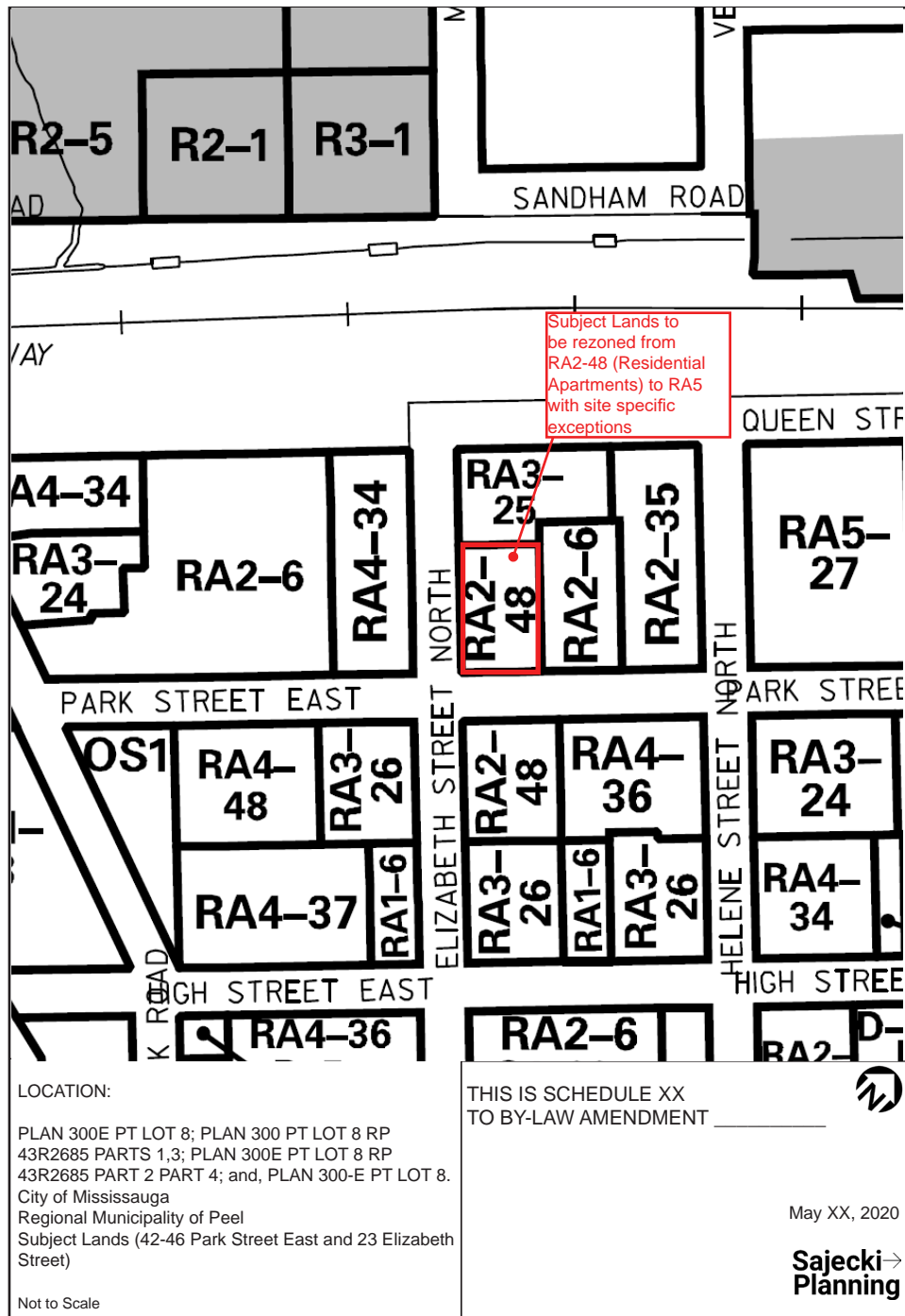
	Apartment, Institutional, Office, Commercial, Employment, or Utility Zone, or any combination of zones thereof		
9.6	Where an interior lot line , or any portion thereof, abuts a zone permitting detached and/or semi-detached	7.5 m plus 1.0 m for each additional 1.0 m of dwelling height , or portion thereof, exceeding 10.0 m to a maximum setback requirement of 25.5 m	--
10.0	Minimum Rear Yard		
10.1	For that portion of the dwelling with a height less than or equal to 13.0 m	7.5 m	4.5 m
10.2	For that portion of the dwelling with a height greater than 13.0 m and less than or equal to 20.0 m	10.0 m	4.5 m
10.3	For that portion of the dwelling with a height greater than 20.0 m and less than or equal to 26.0 m	12.5 m	4.5 m
10.4	For that portion of the dwelling with a height greater than 26.0 m	15.0 m	11.39 m
10.5	Where a rear 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	--
10.6	Where a rear lot line, or any portion thereof, abuts a zone permitting detached and/or semi-detached	7.5 m plus 1.0 m for each additional 1.0 m of dwelling height , or portion thereof, exceeding 10.0 m to a maximum setback requirement of 25.5 m	--
11.0	Encroachments and Projections		
11.1	Maximum encroachment of a balcony located above the first storey , sunroom, window, chimney , pilaster, cornice, balustrade or roof eaves into a required yard	1.0 m	2.2 m
11.2	Maximum encroachment into a required yard of a porch, balcony located on the first storey , staircase, landing or awning, provided that each shall have a maximum width of 6.0 m	1.8 m	2.2 m

11.3	Maximum projection of a balcony located above the first storey measured from the outermost face or faces of the building from which the balcony projects	1.0 m	2.2 m
11.x	Maximum projection of a balcony (terrace) located on the second storey measured from the outermost face or faces of the building from which the balcony projects	--	7.0 m
11.x	Maximum projection of a balcony (terrace) located on the seventh storey measured from the outermost face or faces of the building from which the balcony projects	--	11.0 m
12.0	Minimum Above Grade Separation Between Buildings		
12.1	For that portion of dwelling with a height less than or equal to 13.0 m	3.0 m	--
12.2	For that portion of dwelling with a height greater than 13.0 m and less than or equal to 20.0 m	9.0 m	--
12.3	For that portion of dwelling with a height greater than 20.0 m and less than or equal to 26.0 m	12.0 m	--
12.4	For that portion of dwelling with a height greater than 26.0 m	15.0 m	--
13.0	Parking, Loading, Servicing Area and Parking Structures		
13.1	Minimum parking spaces	Condominium Apartment 1.00 resident space per studio unit 1.25 resident spaces per one-bedroom unit 1.40 resident spaces per two-bedroom unit 1.75 resident spaces per three-bedroom unit 0.20 visitor spaces per unit Retail Store 5.4 spaces per 100 m2 GFA - non-residential	0.67 resident spaces per unit (174 spaces total) 0.1 visitor spaces per unit (26 spaces total)

13.2	Minimum setback from surface parking spaces or aisles to a street line	4.5 m	--
13.3	Minimum setback from surface parking spaces or aisles to any other lot line	3.0 m	--
13.4	Minimum setback from a parking structure above or partially above finished grade to any lot line	7.5 m	--
13.5	Minimum setback from a parking structure completely below finished grade, inclusive of external access stairwells, to any lot line	3.0 m	0.0 m
13.6	Minimum setback from a waste enclosure/loading area to a street line	10.0 m	--
13.7	Minimum setback from a waste enclosure/loading area to a zone permitting detached and/or semi-detached	10.0 m	--
14.0	Condominium Roads and Aisles		
14.1	Condominium roads and aisles are permitted to be shared with abutting lands zoned to permit back to back and stacked townhouses , townhouses or apartments , or any combination thereof	✓	--
15.0	Minimum Landscaped Area , Landscape Buffer and Amenity Area		
15.1	Minimum landscaped area	40% of the lot area	15% of the lot area
15.2	Minimum depth of a landscaped buffer 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	4.5 m	--
15.3	Minimum depth of a landscaped buffer along any other lot line	3.0 m	--
15.4	Minimum amenity area	The greater of 5.6 m ² per dwelling unit or 10% of the site area	4.0 m ² per dwelling unit
15.5	Minimum percentage of total required amenity area to be provided in one contiguous area	50%	--

15.6	Minimum amenity area to be provided outside at grade	55.0 m ²	0.0 m ²
16.0	Accessory buildings and structures	✓	--

SCHEDULE 'B'



**Appendix D: OMB File No.: PL130153 Decision
Delivered by R. Rossi and Order of the Board**

ISSUE DATE:

January 17, 2014



PL130153

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

F. S. 6810 Limited Partnership has appealed to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's neglect to enact a proposed amendment to the Official Plan for the City of Mississauga to redesignate land at 6, 8 and 10 Ann Street from Mainstreet Commercial to residential High Density 1 and to add a special site policy to permit the proposed height, density and mixed use to permit a 140-unit, 22-storey condominium apartment building with commercial uses at street level and surface parking to serve the abutting funeral home to the south

Approval Authority File No. OZ/OPA 11 14

OMB File No.: PL130153

F. S. 6810 Limited Partnership has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's neglect to enact a proposed amendment to Zoning By-law 0225-2007 of the City of Mississauga to rezone lands respecting 6, 8 and 10 Ann Street from Mainstreet Commercial (C4) to Residential (Apartment Dwellings) RA5 Exception Zone to permit the development of a condominium apartment building with commercial uses at street level and surface parking to serve the abutting funeral home to the south

OMB File No.: PL130154

APPEARANCES:

Parties

Counsel

F. S. 6810 Limited Partnership

J. Alati

City of Mississauga

B. Ketcheson

DECISION DELIVERED BY R. ROSSI AND ORDER OF THE BOARD

[1] F. S. 6810 Limited Partnership ("Applicant") has appealed to the Ontario Municipal Board ("Board") the failure or neglect of the City of Mississauga ("City") to make a decision on the Applicant's proposed Official Plan Amendment ("OPA") and Zoning By-law Amendment ("ZBA") applications to permit a 140-unit, 22-storey condominium apartment building with commercial uses at street level and surface parking to serve the abutting funeral home to the south. The OPA would redesignate 6,

8 and 10 Ann Street (the “subject property”) from Mainstreet Commercial to Residential High Density I and add a special site policy to permit the proposed height, density and mixed uses.

[2] Planner Lindsay Dale-Harris, Urban Design Planner Robert Glover and Architect Ralph Giannone (who designed the building) spoke in support of the application. City Development Planner Ben Phillips and City Urban Design Planner Sharon Mittmann spoke in opposition to the application. All witnesses were qualified to provide their evidence.

[3] The parties listed a series of issues to be adjudicated. The evidence presented led the Board to narrow down this hearing to the issue of balance and how the proposed development as supported by the proposed Official Plan and Zoning By-law Amendments could be accommodated in light of existing municipal planning policies and the City’s goal of preservation of the Port Credit Village character. In adjudicating this matter, which was determined by the Board the central issue in this hearing, the Board specifically assessed the development in the context of the municipal planning policies before it, which were given prominence and assigned substantive weight. Having considered all of the evidence in this context, the Board finds that the proposal as contemplated does not conform to current planning policies and does not achieve the above-stated goal in respect of the area’s character.

THE PROPOSAL

[4] The Applicant proposes to build a 22-storey condominium apartment building on the subject property with commercial uses at street level. Underground parking for residents as well as 17 at-grade parking spaces will be provided on site. The building will sit atop a two-storey podium.

[5] The subject property comprises three parcels and is situated on the west side of Ann Street at the corner of High Street East and north of Lakeshore Road East. The southerly lot known as 6 Ann Street contains a one-storey dwelling. The middle lot at 8 Ann Street is being used for surface parking. The northerly lot at 10 Ann Street contains a one-storey dwelling. The subject property is located in the Port Credit Village of the City of Mississauga in an established neighbourhood comprised of a mix of residential, retail and office uses and it sits north of the funeral home that fronts onto

Lakeshore Road East. There is a mix of old mid-rise and high-rise apartment buildings as well as low-rise buildings and detached dwellings.

[6] The proposed Official Plan Amendment would change the land use designation from “Mainstreet Retail Commercial” from the 2003 Mississauga Plan (now “Mixed Use” under the City’s new Official Plan (Mississauga Official Plan (2011)) to “Residential-High Density I-Special Site” (now “Residential-High Density-Special Site” under Mississauga Official Plan). If approved, the Special Site provisions would create a building with a maximum floor space index (“FSI”) of approximately 7.4 times, a maximum height of 22 storeys, ground floor commercial uses to a maximum gross floor area (“GFA”) of 185 square metres and 17 at-grade parking spaces for the south-abutting funeral home. The Applicant also proposes to change the zoning from “C4” (Mainstreet Commercial) to “RA5-Exception” (Apartment Dwellings) by means on a Zoning By-law Amendment.

[7] The Applicant’s land use planner, Mrs. Dale-Harris, opined during her presentation that the proposed Official Plan Amendment and Zoning By-law Amendments are appropriate ways to facilitate development of an underutilized site in close proximity to the GO Transit Station and the Mobility Hub and represent good planning. A great deal of this planner’s evidence relied on the appropriateness of the proposed development in relation to the transit-supportive policy direction of the planning instruments. This evidence was generally uncontested, but the matter of transit-supportive development was but one component of the broader planning policy framework for Port Credit and transit was not a determinative issue. And, despite the transit responsive nature of placing high-rise development proximate to a Mobility Hub and south of the Port Credit GO Transit Station, the Board determines that the issues of preservation of the village character and non-conformity with other salient municipal planning policies were not sufficiently addressed by this planner when compared to the land use planning evidence of City planner Mr. Phillips for reasons discussed below. As such, the development in the form that the Applicant envisions cannot be considered to be an appropriate use of the subject property.

[8] The fact that the Applicant’s urban design planner, Mr. Glover and Mrs. Dale-Harris frequently referenced nearby high-rise buildings during their presentations as at least partially justifiable for development in the manner proposed was largely irrelevant to the matters at hand insofar as the City’s plans to control future development that preserves the Port Credit character are concerned. Exhibit 6, Tab 1 provides an aerial view of the Port Credit Node and identifies the subject site. This exhibit confirms the

statement of Mrs. Dale-Harris that there is no consistency in the height of buildings. The Port Credit Node is an eclectic mix of low and high-rise buildings. This aerial view shows the development of low-rise buildings (with several mid-rise examples) south of Lakeshore Road East. It also shows the existing and decades-older high-rise buildings, which start along High Street East and reach similar and greater tall heights as one moves north to Park Street East and farther north to the Port Credit GO Transit Station. At the southeast corner of Ann Street and Lakeshore Road East is an existing tall building of older vintage. Farther east is the Northshore Condominium Residences (“Northshore”) development at the gateway location of Lakeshore Road East and Hurontario Street.

[9] This aerial view exhibit can be interpreted in two ways. In its most facile interpretation, bereft of planning considerations, the existence of so many tall buildings (one located southeast of the subject property and others located north and west of the subject property) justifies the addition of yet another tall building. After all, with so many existing apartment buildings, what is the difference if another tall building is added to the mix of heights? In a more earnest interpretation, one informed by Mississauga’s planning regime, the addition of another residential tower cannot be supported where the City has set in place policies that support its strategic plan to protect and preserve the village character in Port Credit for the future.

[10] The Board sees no satisfactory justification on any planning grounds (discussed below with reference to the planning instruments) to permit development at this height and level of intensification or to approve planning permissions in the form of amendments such as those before the Board in this case whose effect is to impact adversely and undermine the City’s long-term vision for preservation of this area’s village character. Were the Board to approve this high-rise building, it would likely serve as the catalyst for future development applications seeking similar permissions along Lakeshore Road East and the Mainstreet Commercial-designated lands. No one can argue that high-rise buildings do not exist, but the City has taken policy steps to ensure that subsequent development does not replicate these older built forms. All recognize that the area was developed with these taller buildings at a time when no consistent planning framework existed. The City has demonstrated its intention and efforts to bring order to future development and growth of the Port Credit Village and such intensification must respect and contribute to the neighbourhood character; specifically, in a form of development that is lower in height than that sought by the Applicant and

that transitions appropriately to Lakeshore Road East and the immediate interior neighbourhood.

Mississauga Official Plan (2011)

[11] The witnesses provided various planning opinions with diverse interpretations of the broad policies of Mississauga Official Plan. It is reasonable and expected that divergent expert opinions might be provided in respect of broad policy goals such sections as “Guiding Principles”, building “Complete Communities” and contributing to broad transit goals. On this broader level, indeed a case can be made for more intense development such as that proposed by this Applicant. However, the Board’s thorough reading of the directly applicable policies, which provide direction on how development shall proceed on sites such as these and in respect of the preservation and protection of nodal character, indicated to the panel that this particular development and its facilitating instruments do not conform to Mississauga Official Plan.

[12] Specifically, although the subject lands are located within a Community Node and Major Transit Station Area and are in proximity to a Mobility Hub and in an area where intensification is to be directed primarily, the greatest intensification is to occur in the Downtown Core. The Port Credit Community Node “will provide for a similar mix of uses as in Major Nodes, but with lower densities and heights.” The Applicant proposes to develop the site with proposed FSI of 7.4 times and unit density that far exceeds what currently exists in this Node. As City Planner, Mr. Phillips pointed out; this development reflects densities found more commonly in the Downtown Core. The most intensive development in this Community Node has been the Northshore Condominium Residences (“Northshore”) but even that tall development, which sits at the gateway corner of Hurontario Street and Lakeshore Road East, has combined density of 4.7 FSI and far lesser unit density than the subject proposal. Yet, the City witnesses presented no persuasive evidence – planning, policy or otherwise – to establish satisfactorily why a site within the Port Credit Community Node and governed by the Port Credit Local Area Plan (“Area Plan”) should be permitted to develop at a higher level than the Northshore (gateway) development; at a level consistent with Downtown Core high-rise development; and at density levels beyond anything currently existing in the broad area.

[13] Next, the Board reviewed the urban design policies of Mississauga Official Plan and finds persuasive the presentation of the City’s Urban Design witness, Mrs. Mittmann. This section of Mississauga Official Plan directs that “it is important that infill

“fits” within the existing urban context and minimizes undue impacts on adjacent properties.” Most importantly, “Redevelopment must also be sensitive to the existing urban context and minimize undue impacts on adjacent properties.” These broad goals are not achieved in light of Area Plan policies as referenced later in this decision. In the Board’s view, the proposed development at this level of height, massing and density, does not “respect the experience, identity and character of the surrounding context”, which is the Port Credit Village. Most plainly, the proposal does not achieve this policy document’s requirement that properties are “to develop in a manner that contributes to the overall vision for the city.” This proposal seeks a level of intensification more appropriately (and as required) to the Downtown Core – not in Port Credit Village whose nodal character was carried over into Mississauga Official Plan and for which very clear policies for development and the City’s vision have been established. This proposal fails to respect these elements of the urban design direction of Mississauga Official Plan.

[14] Policy 9.1.3 states that “infill and redevelopment within *Neighbourhoods* will respect the existing and planned character.” The Applicant’s design, while attractive and thoughtful, has missed the mark in terms of Port Credit Village’s character in the following way. It was the evidence (in various words) of all three of the Applicant’s witnesses that the building’s design was created to reflect the undulating wave movements of Lake Ontario and the site’s waterfront proximity. This has been executed primarily through the residential floors and most notably by means of creative employment of undulating balcony design. However, this comes at the price of the design’s failure to connect with the more proximate, established low-rise, Mainstreet commercial character of the very neighbourhood in which the building is proposed to be built.

[15] Policy 9.2.1.11 is relevant for the Board’s consideration of the building’s failure to transition appropriate to its surroundings: “Appropriate height and built form transitions are required between sites and their surrounding areas.” Yet, the proposed development is physically too large and bulky if placed on the three lots as assembled. It is, in the vernacular, simply too much building on too small a parcel and it towers over everything around it. By extension, existing high-rise residential buildings of a much earlier vintage enjoy generous landscaped grounds all around. This building offers minimal setbacks such that the Board deemed the renderings to cause a jarring effect

when viewed in the context of the adjacent properties and especially in the context of the village character of Port Credit.

[16] The proposed development fails to achieve Mississauga Official Plan's objectives for the context of development. Policy 9.5.1.2 directs: "Developments should be compatible and provide appropriate transition to existing and planned development by having regard for", among other things, "the size and configuration of properties along a street, including lot frontages and areas; front, side and rear yards; and the local...character". This proposal shows far greater regard for the development of the subject property through a very high level of maximization of development potential through height, massing and density increases in a manner that utterly fails to account for its immediate surroundings. Indeed, it appears to treat its surroundings as an afterthought.

[17] In this regard, Mr. Phillips has made a highly persuasive point: this local neighbourhood of Port Credit is characterized by a mix of building heights and massing, but there is proportionality in the interface relationship. Heights such as those proposed by the Applicant cannot, in the Board's determination, be permitted in stark proximity to the local character, which the City seeks to protect. Spatial distances are miniscule between the subject property and neighbouring development such that proportional transition is not achievable and thus the policy regime is compromised through this proposal. As presented, this development would create an abrupt change in height, scale and massing that offends the existing context.

[18] The City has been clear in its policy context as to the type of building relationship it seeks for future development in Port Credit. The Applicant disregards these important aspects of transition in the Board's view, such that the subject property is not an appropriate place for a development of such magnitude in the Board's view. It is entirely opposite to the growth direction that the City has established for Port Credit; it runs counter to the specific provisions one finds in the Area Plan (below); and as the City witnesses opined persuasively, such development is better directed either to the lands abutting the GO Transit Station and, at this density level, even better directed to the Downtown. The Board cannot approve such intense development in flagrant disregard for the Municipality's very clear, strategic and purposeful policies for future growth while protecting the Port Credit Village character.

[19] Similarly, in the context of the general Community Node policies of Mississauga Official Plan, the proposed development also fails to achieve several important components of these policies. The Applicant has failed to provide appropriate transition in heights that respects the surrounding context (Policy 14.1.1.3a) for the reasons stated; the development proposal does not enhance the existing or planned development (Policy 14.1.1.3b) when considered in the context of the aforementioned policies and the Area Plan; and primarily where this proposal is not consistent with the policies of Mississauga Official Plan (Policy 14.1.1.3d) as evidenced herein.

[20] Broadly speaking, in terms of the Implementation Section of Mississauga Official Plan, the proposed development fails to address “the compatibility of the proposed development to existing or planned land uses and forms (well established through the City’s policy regime and specifically through the Area Plan’s vision (below), including the transition in height, density and built form”. Accordingly, the proposed development fails to conform to the policies of Mississauga Official Plan (Policy 19.4.3b) as well as Policy 19.4.3h: “the suitability of the site in terms of size and shape, to accommodate the necessary on site functions, parking, landscaping and on site amenities.” On this latter point, the Board was not impressed with the vehicular ingress/egress elements that require separation of parking functions by virtue of the site’s compact and limited size. The Board was less concerned with the lack of landscaping offered, however. What remained outstanding and problematic for the reasons stated was the bulky nature of the building, its overwhelmingly large massing in the immediate neighbourhood context and its sheer height as it towers over the Mainstreet commercial development along Lakeshore Road East. Consequently, this policy too is not achieved through the proposed development.

[21] By extension and in its iteration as presented, the proposed development cannot possibly achieve Mississauga Official Plan’s “Criteria for Site Specific Official Plan Amendments” – Section 19.5. In the Board’s determination, the proposed redesignation would adversely impact and destabilize “the achievement of the overall intent, goals, objectives and policies of this Plan” as outlined.

[22] In the urban design context then, the proposal fails to conform with Policy 2.1.1 “Community Identity and Focus” as new developments should maintain and enhance the identity of Port Credit as a diverse established community by integrating with the surrounding area and avoiding the establishment of enclaves (Policy 2.1.1a).

[23] The Central Residential policies (Policy 2.1.2.4) will be discussed in the context of the Area Plan but at this juncture, it is necessary to outline the City's plans for Port Credit for new development: "...development proposals must avoid adverse impacts on the surrounding areas" and "the existing character of the area should be maintained." Most notably is Policy 2.1.2.4a, which directs that building heights should not exceed 14 storeys and should decrease toward the east, west and north boundaries of this area, with which the proposed development does not conform. A comprehensive reading of the contemporary Plan's policies indicate to the Board that the maximum height appropriate for these lands is 15 storeys and perhaps less, given their proximity to the Mainstreet component of Port Credit Village. In the Board's determination of the Mississauga Official Plan's policies as identified, approval of a 22-storey building on the subject lands would not only impact negatively the City's vision for development of this unique and special area of the City but unnecessarily undue a great deal of comprehensive and well-executed planning work in respect of directing future growth in Port Credit.

MISSISSAUGA PLAN (2003)

[24] Regrettably, the corresponding policies of the earlier Mississauga Plan under which the application was filed, are also not achieved through this proposal. With the same reasons enunciated for the more contemporary Mississauga Official Plan, the Board finds that the earlier Plan's policies are offended by this development. Of note is Policy 2.4.2.4, which encourages "compatible residential intensification." While offering a building of attractive and appealing design such as this, it is entirely incompatible with not only the existing built form character of Port Credit Village in this local neighbourhood and with City plans for the future development of this area, it is better suited to areas of higher development intensification like the lands around the Port Credit GO Transit Station and the Downtown. In terms of the earlier Plan's urban design goals, Policy 2.11.2.1 is offended for the same reasons as the newer Plan is similarly offended by not respecting "the existing built context, community vernacular and streetscape in the design, placement and scale of development." The Board is particularly concerned that Policy 2.11.2.8 has been offended whereby new development should "ensure that buildings and structures relate to human scale and reinforce the scale of the community." The proposed tower is similar in size and scale to the existing high-rise building to the southeast and to the Northshore development and to the high-rise building to the north and west, but the site's proximity to the

Mainstreet commercial feature and its adverse impact on the overall character, coupled with clear direction from the City on the course and type of future development, make its realization at this location inappropriate.

[25] Similarly, Policy 3.2.3.1 is offended by this proposal. While the Board accepts that the proposal is innovative in its design, something called for in this policy, its form does nothing to reinforce or enhance the local community character; nor does it respect its context, which is the Port Credit Village. Following along this theme of incompatibility of design with the area character, the intensification policies are similarly not achieved: for example, Policy 3.13.6.16 “Development should be compatible with the scale and character of a planned area” and Policy 3.13.6.17, which directs that “Development proposals will demonstrate compatibility and integration with surrounding land uses by ensuring that an effective transition in built form is provided between areas of different development densities and scale.” As outlined previously and further in these reasons, such transition cannot be achieved through this proposal.

[26] Lastly, in respect of Mississauga Plan, Urban Design Policy 4.27.3.1.1a, which directs that “New development should maintain and enhance the identity of Port Credit...” is not achieved through this proposal for the reasons provided throughout this decision. Specifically, the proposed development represents a significant and irreversible departure from the planning context that the City has established for Port Credit. The development as envisioned is entirely inappropriate for Port Credit. It does not respect the surrounding context or enhance the existing and planned area development. In this context, the Board is unwilling and unable to approve amendments to the planning designations for the totality of this proposal’s inability to conform to the Mississauga Plan’s and most importantly to the Mississauga Official Plan’s policies as identified.

PORT CREDIT LOCAL AREA PLAN

[27] The area was developed at a time when no consistent planning framework existed. That being said, the City has endeavoured to bring order to future development and growth of the Port Credit Community Node. This work finds expression in the Port Credit Local Area Plan (“Area Plan”).

[28] The subject lands are subject to the policies of the Port Credit Local Area Plan (“Area Plan”) (Exhibit 1, Tab 14). Central to the Board’s determination of this case is

how well the proposed development and the implementing amendments achieve the various policies of the Area Plan, which the planning witnesses referenced to varying degrees. The Area Plan's vision is for, among other things, an urban waterfront village with a mixture of land uses, a variety of densities, transit supportive urban forms and development that incorporates high quality built form. The Board determines that the proposal achieves these components of the Area Plan's vision. The main street village character along Lakeshore Road East and with its various neighbourhood components is to be preserved and enhanced, which this proposal does not achieve. The vision is intended to manage change to ensure "an appropriate balance is maintained between growth and preservation" that is supportive of Port Credit's Village feel.

[29] The Applicant's witnesses opined that the proposed building achieves the objectives of providing transit-supportive development, offer a range of housing options, encourages employment uses and enhances its surroundings. While this might be true, it is the development's failure to meet several of the Guiding Principles of the Area Plan that make it inappropriate for the subject property. The proposal fails to protect and enhance the urban village character (Policy 5.1.1) by siting a very tall building that is not compatible in scale with the surrounding low-rise commercial and residential buildings abutting and adjacent to it. As presented, the built form is required to squeeze itself onto a relatively small site that compromises traditional ingress/egress and which, as the City witnesses pointed out, overwhelms the area with its size, massing and density.

[30] As the draft Built Form Guide identifies High Street East and Ann Street at this location as residential in character, setbacks of 4.5 metres to 7.0 metres is required. The Applicant proposes commercial uses at grade although the permitted as-of-right amount is not, as planning staff contend, a rationale for moving the building very close to the street. The proposed 1.2 metre setback to Ann Street is insufficient and will not provide adequate room for landscaping that is consistent with the existing character of the residential community (Exhibit 3, Tab 43, p. 1294).

[31] The development and its level of intensification fail to respect the experience, identity and character of the surrounding context and vision (Policy 5.1.5) that the City is trying to preserve through this and other planning instruments. As the Port Credit Node, it is intended to offer lower heights and densities than those of a Major Node and lower than what the Applicant proposes to build. As the City planning staff have written, this Area Plan respects the planned function and position within the City's hierarchy while also reflecting the existing and planned character of Port Credit. This is why the City

has established a 15-storey height limit for new development, which the City has determined is necessary to support the vision as an urban waterfront village and that respects the existing character. New development such as this is not supportive of the waterfront village character by virtue of its height, massing, density and proximity to the “main street”.

[32] By extension, the Community Node includes the GO Transit Station farther north as a Major Transit Station Area and a Gateway Mobility Hub. While the proposed development is transit supportive and walkable to the GO Transit Station (some 120 metres north), its height is not reflective of the village character that the City is attempting to preserve and more reflective of the type of tall built forms that are sited in the Major Transit Station Area and Gateway Mobility Hub. In fact, the City recommends that densities up to 4.0 times FSI (the proposal is above 7 times) and heights up to 25 storeys are appropriate for this location; an area the Board determines more appropriate for the building as designed.

[33] This approach also finds expression in the Port Credit Mobility Hub Master Plan Study (Exhibit 2, Tab 15). Where this document states that opportunities exist “to accommodate additional height potentially up to 22 storeys at 4.0 times FSI”, these opportunities are located in the vicinity of the GO Transit Station and even then these are to be considered only through the submission of a development application that would provide for a detailed evaluation on a site-by-site basis.

[34] While the City expects some change for the Community Node and the Port Credit Neighbourhood, new development “will respect the character of the area” and the Area Plan, together with the Port Credit Built Form Guide (Exhibit 1, Tab 14) (“Built Form Guide”) provide clear direction for appropriate transitions in built form and scale of buildings. Moreover, the City has established that the subject area offer limited potential for infill development. It has also set “existing maximum building heights” for the lands north of Lakeshore Road East, which includes a maximum height of 15 storeys for the subject lands. Yet, the Applicant has proposed to develop its site with a level of development that is, according to the City’s expert witnesses, too tall for the neighbourhood and too small a lot size to accommodate something of this mass, height and density.

[35] Much was made by the Applicant’s counsel of how little or none of the existing buildings achieve the Built Form Guide’s guidelines (such as proposed building

transitions from the interior neighbourhoods to Lakeshore Road [Mr. Alati roundly criticized these guidelines by arguing that there is no transition or stepping pattern for the existing older high-rise buildings], tower separation distances and building setbacks for example), thereby criticizing the City for setting goals that existing built form development did not currently meet. The Board was unconcerned about how existing development in the Port Credit Village local neighbourhoods does or does not achieve the policy direction the City has set out, however. This is because the policy regime already recognizes what exists and it has set out very clear policies, benchmarks and standards that will guide future development that require respect for and preservation of the existing neighbourhood village feel of Port Credit. Contrary to the Applicant's case, the Built Form Guide (and by extension the Area Plan) are not tools to assess how well existing buildings achieve the Area Plan's vision. Rather, it is how well future development – and specifically that proposed by the Applicant – will preserve and will enhance the Mainstreet village character. Even flexibly so, the Area Plan's vision statement also reinforces the importance of retaining and “enhancing” the built elements that provide residents with a sense of local community and social activity. In this latter context, even existing development can be retained and enhanced to contribute over the long term to a stable and unique Port Credit Village character. The subject application departs from the Built Form Guide's approach as well as from the Area Plan by not conforming to its policies, however, as it proposes a form of new development that the Board determines to deviate radically from the type of future development contemplated for Port Credit.

[36] In essence, the Port Credit Village is comprised of neighbourhoods that are intended to recognize areas that are physically stable “with a character to be protected” (Policy 5.2.3). As this policy recognizes, some level of change in these stable neighbourhoods is anticipated and new development does not have to mirror existing development types and densities so long as the neighbourhood character is respected. As stated, the Area Plan and the Built Form Guide provide direction for appropriate transitions in built form and scale of buildings. This is one reason why the City has determined that the greatest height and density for Port Credit will be in close proximity to the GO Transit Station and future Light Rail Transit (LRT) stop at Hurontario and Park Street – locations farther north and northeast of the subject lands. The Built Form Guide echoes this approach. Section 2.2, Planned Building Heights, states that the greatest heights in the Node are generally located in the Central Residential Precinct closest to the GO Transit Station and buildings should generally slope down from the

railway tracks to the north to Lakeshore Road East farther south. With specificity, the Built Form Guide for the Port Credit Community Node states that the highest buildings should be in the vicinity of the GO Transit Station and future LRT Station (as stated above) and then transition downward to Lakeshore Road East and to Lake Ontario and the Credit River. This proposal fails to achieve these guidelines, which were written to give effect and guidance to future development in the subject area.

[37] Building heights receive further instructive guidance and approval of 22 storeys is justified. As we have seen above, the City has determined the appropriate locations for new buildings that propose such heights. The maximum height in this Node “shall be 22 storeys”, which reflects existing building heights and recognizes that development in this Community Node should not be as high as development in a Major Node. The Built Form Guide distinguishes older tall building development from current tall building development and notes the approval of the Applicant’s earlier successful development (Northshore) at the corner of Lakeshore Road East and Hurontario Street. As evidenced at the hearing and in the documents, a 22-storey height was approved for the Applicant as this height was determined to be appropriate given the site’s location at an important gateway into Port Credit that creates a visual landmark. This development was deemed to balance well with the massing of the older 20-storey building just west of Hurontario Street.

[38] In the Board’s view, the same cannot be said for the subject property, which is part of the Mainstreet Commercial Precinct. This Precinct includes part of the traditional Mainstreet component of Port Credit and low rise buildings are the norm. The juxtaposition of this site to Lakeshore Road East once fully developed as planned, and physically separated by a funeral home only, would tower over the main street and overwhelm the visual experience in the Board’s view. There was no persuasive planning evidence presented to justify the placement of a tower of this size so close to Lakeshore Road East and particularly where the Area Plan and its guidelines expressly discourage such development.

[39] The guidelines also direct that buildings over six storeys should be designed so that they are as square as possible to ensure minimal shadow impact and to ensure they do not create the visual impact of a larger bulky floor plate. By extension, the maximum length of any building over six storeys should be 35 metres for buildings under 15 storeys and 30 metres for buildings over 16 storeys. The proposed building offers what the Board determines to be a bulky floor plate some two storeys tall that

does nothing to contribute to the character of the area and is 39.2 metres in length, which is greater than what the guidelines recommend for the area. Given the constraints of the site, the Applicant has sought to maximize the development potential of the site to the detriment of the neighbourhood character that the City is seeking to protect and preserve through the Area Plan.

[40] This is an appropriate place to address the issue of whether the proposed design represents a point tower or a slab building. The parties' witnesses debated this point through their respective presentations. The proponents and the architect called the building a point tower; the City's witnesses called it a slab tower. Various rationales were provided to support the two positions. While the Board recognizes that the building's architect is well-placed and perhaps best-placed to characterize his design as a point tower, certain evidence as presented signals otherwise. Mr. Glover said that slab buildings have a blocky character. The Board finds this building to present the character of a slab building when viewed from the west and east perspectives and as depicted in the computer-generated renderings. The building presents as a point tower from the north and south views. However, the west and east views, confirmed visually and schematically rendered in a number of exhibits, depict a building that is longer than a point tower at the proposed height (e.g. Exhibit 3, Tab 39, p. 1249, 1250 and 1254); that is, more like a slab building. City planning staff opined in their 2013 report that the proposed height and floor plate design generates unacceptable sky view and massing impacts along the important Lakeshore view corridor when the east and west views of the tower will be seen.

[41] The Board accepts as persuasive Mr. Glover's suggestion that the placement of corridors around a central bank of elevators is an indication of a point tower, but there is no specific design rule that says the placement of elevators automatically identifies a building as a point tower. The real feel of a building's size and shape in relation to its neighbouring context is experienced externally; its internal configuration, such as the location of a bank of elevators, cannot necessarily define the structure as a point tower. Typologically, whether slender or stout, the floor plates of point tend to be slender. Mr. Glover opined that this building has a relatively slender floor plate based on its GFA so it is a point tower. He compared the proposed floor plate, size, shape and configuration to a range of other towers in Toronto and to one example (the Marilyn Towers) in Mississauga. The Board was not persuaded by his statement, however, that the proposal as designed is what the City has called for in its Built Form Guide for Port

Credit or that a building of this shape, form and height is appropriate at this location. In cross examination, Mr. Glover also acknowledged that the proposed building is within the range of dimensions of a slab-type building, using the terminology “small slab tower”. In this case, the Board finds sufficient evidence to show that the building offers elements of both slab and point towers. The Board cannot determine resolutely whether the proposed building will be a point tower or a slab tower. In fact, a combination of traits for both built forms has been presented in the Board’s view. Were the building to achieve the planning policies in this case, a specific building type might be established and/or its form might be an acceptable one but in the end and as all witnesses agreed, the issue is first how one perceives the massing and its overall visual appearance and next how this impacts the character of the area.

[42] To be clear, in the context of shadow impacts, the Board heard from both parties that shadowing is not an issue for this hearing by virtue of the lack of impacts this design creates on adjacent building forms. So whether the tower is a slab building or a point tower is a moot point in this context. However, for its relationship to the Mainstreet character, the Board finds as stated that the proposed design appears to offer elements of both tall built forms.

[43] Pointedly, the proposed height in its current guise, whether slab form or point tower, would nevertheless establish an undesirable precedent for other developers seeking to pursue similar heights along this section of Lakeshore Road East. The June 2013 report to the Planning and Development Committee notes that approval of this intensity of development on these lands in Port Credit Village could be seen as planning support for other building proposals of similar heights on sites that do not enjoy the landmark attributes of sites such as the Northshore development farther east. The Board is persuaded by this statement and the precedential value of approval of a development plan such as this. Moreover, such approval could cause a destabilizing impact on carefully planned and intended development heights and densities – all made with a view to controlling the form of future development in a manner that respects and even protects the character of the Port Credit Village. The report also makes note of the undisputed fact that the adjacent stretch of Lakeshore Road East from Stavebank Road over to Hurontario Street represents the core of Port Credit’s traditional commercial main street. This section of Lakeshore Road East is the location of much of Port Credit’s village character and sense of place. The Area Plan sets out the City’s plans for height limit maximums to protect the existing height regime found close to the

main street and to prevent future tall buildings from becoming visually intrusive and dominating of the pedestrian experience. This building, if approved, would cause such impacts in the Board's view. As the report stated, generous sky views and a sense of openness would be eroded if the City were to permit buildings above 15 storeys adjacent to the main street. As Mr. Phillips opined most persuasively, this is not consistent with Mississauga Official Plan policies, including those that require tall buildings to have appropriate height and built form transitions to surrounding areas, siting and design to enhance an area's skyline (not to intrude into it along the main street in this case) and to create appropriate visual and functional relationships between individual buildings and groups of buildings. This proposed building cannot achieve these policy directions as currently configured at this size, massing, density and height. As the staff report also indicated, the site's location does not warrant a landmark building of this type that would equal the height of the Applicant's other 22-storey condominium building (Northshore), currently the tallest building in Port Credit. The report present no less than five comprehensive reasons why the City was able to approve that development (Exhibit 3, Tab 43, p. 1292) and it distinguished the subject site from that prominent built form that does not impact the Port Credit Village.

[44] Mr. Phillips referenced Policy 10.2.2.2 of the Area Plan, which directs that building heights on lots adjacent to the Mainstreet Precinct will demonstrate an appropriate transition. The proposed building fails completely to provide either gradual or acceptable transition from Lakeshore Road East to the interior neighbourhood and in the Board's view, its size, height and massing serve to create a jarring visual experience that does not contribute to the village character the City wishes to preserve.

[45] Further, the lack of suitable transition of built form (a large two-storey podium to a two-storey triplex) is all the more palpable given the existing location and the plan to construct a 22-storey, 77-metre tall building on a site that would be the smallest for an apartment building site in Port Credit and as Mr. Phillips pointed out, in the City's Downtown Area as well. It was Mr. Phillips's evidence, presented through the June 2013 report to the City's Planning and Development Committee that a larger site size would allow for a satisfactory site design, including sufficient common amenity and landscape areas and among other things, appropriate residential setbacks for residential use and increased room to provide transition and buffering to adjacent lower density buildings.

[46] Given was the Applicant proposes to construct, the Board finds persuasive the City's position that this is not a suitable site for this level of development and will negatively impact the village character of Port Credit. Appropriately, the City is concerned that the scale of development and the level of intensification for Port Credit will be compatible with and will preserve the village character of this special and unique area of the City. The Board finds that development in the manner the Applicant proposes would represent Downtown densities in a community node, something not contemplated in the current planning regime but as well, this approach is inconsistent with the City's established urban hierarchy which finds written expression in Mississauga Official Plan and the Area Plan. Density as proposed would be approximately 86% higher in terms of FSI than any other density in the Central Residential Precinct and 46% higher than any other density in the Port Credit Community Node. This condition is reflective not only of the subject property's small size but also of the proposed height. The Applicant and its witnesses have failed to make a persuasive case for disrupting the established urban hierarchy and causing a significant and permanent departure from the City's planned vision for Port Credit.

[47] Given the planning evidence as analyzed, the Board was ultimately persuaded by the words of both Mr. Phillips and Mrs. Mittmann, which cautioned that approval of this application would irrevocably change the character and the sense of place that define Port Credit. The notion of balance that the Board adjudicated in this case was the Applicant's proposed development of its site with the intensification objectives of the City and its desire to preserve character within the existing Port Credit Village. In this regard, the scale and form of the development as contemplated would create imbalance of the City's planned context and the character of this area. In fact, the Board determines that the development as envisioned would undermine and destabilize the character and the City's planning direction. And specifically, the Applicant's proposal fails to match the intent of, and fails to conform to the City's policies that seek to strike a balance between intensification and the local village character of Port Credit.

[48] It is appropriate for the City, in its strategy for intensification, to seek to balance intensification goals with other goals such as maintaining an existing community character like that so well established in Port Credit. This balance of protection of character with intensification has been in place since at least 2003 and has been carried forward to incorporate intensification policies into the 2011 Mississauga Official Plan. This concept of balance was also carried forward in part by the City's identification

through its local area and district plans and the subject Area Plan, which requires us to balance intensification with the preservation of character.

[49] The Port Credit area context is worthy of preservation in its current form (with forms of intensification far more moderate than that which the Applicant proposes) and through the maintenance of existing height regimes in this area. None of that has changed. The City has established other areas for the types of higher heights and densities that the Applicant seeks, such as, for example, the area adjacent to the GO Transit Station. Moreover, the Applicant has attained success through development of the Northshore condominium residences at the Hurontario Street and Lakeshore Road East gateway location. A sophisticated developer in the City, the Applicant will have to pursue development of this size and intensity at locations the City deems appropriate for such proposals, such as in the Port Credit GO Transit Station area or in the Downtown. Alternatively, the Applicant might wish to explore a level of design that responds favorably to the City's planned context and direction for Port Credit. This proposal as proffered to the Board cannot be supported in its current form, however.

[50] While the Applicant's counsel argued that there is no policy basis for FSI, and the City does not use density control on a policy basis, density is a valid planning consideration and is nevertheless a helpful indication of the size of development in relation to the size of this site. It is clear that in terms of size and its proposed scale, this site would see the most aggressive form of development to date relating to the amount of building mass and its small footprint. In the Board's view, the Applicant has shown how a tall building can be sited on a small site and made to function. However, that function has come at the expense of Port Credit's established character, at the cost of adverse impacts on its character through lack of compatibility and transitional design and in contradiction to the planned policy direction and context that the City has established.

[51] The Board was also presented with the comments of the Mississauga Urban Design Panel (Exhibit 2, Tab 21), which noted that the building architecture was well executed, it will provide "a good example for the area" and the site is "ideally located given the proximity to the GO Transit Station" and in particular the panel's comment that the proposal can "contribute to Port Credit Village." The panel found favor with the proposal and the proposed height, even suggesting that the proposal's "contemporary style would serve as an appropriate expression and would show a maturity that Port Credit is ready for." The Board considered the panel's comments in the context of the

existing planning regime, the City's planned direction for Port Credit Village and the totality of the expert City witnesses' evidence at this hearing. In this context, the Board cannot assign weight to these findings of the panel, which fail to respect the especially well thought out and articulated direction for development in this area. The only elements of their comments that were persuasive to the Board were those that spoke to the favorable design elements of the building and its sculptural quality. Regrettably, even these design components are unsuccessful in addressing both the City's policy direction and they fail to respond to the village character that the City seeks to protect. As Mr. Ketcheson said so persuasively, this is a well-designed building that is wrong for the subject property. The Board has shown precisely through the evidence above how the proposal fails the key objectives that the City has set out for future development in Port Credit.

[52] The Applicant has proposed that a Residential – High Density I designation would be more appropriate for this site than the current Mainstreet Retail Commercial designation (see Exhibit 2, Tab 25, p. 943). Mr. Glover said that the area's skyline has a distinct nodal character of an apartment neighbourhood so the proposed building would not be out of place. The Board determines that this extension of the apartment character further north and west is not an appropriate one as discussed earlier and one that the City's witnesses could not support. The change in designation, purportedly to bring the site more into line with the Central Residential character of the neighbourhood farther west and north, would instead result in an adverse impact on the character of Lakeshore Road East by placing new development much closer to Lakeshore Road East than other older examples farther north and west and of a type and size that offends the direction of planning for Port Credit Village. It would not maintain the character the City so ardently seeks to preserve through its Area Plan; and in fact would set an opposite course for future development in Port Credit notwithstanding the proximity of a much-older 20-storey building or the newer gateway development (Northshore) farther east. The Board cannot support such a disparate approach to land redesignation and built form development from that planning regime which the City has so carefully developed to guide future development and preservation of Port Credit.

[53] The Board determines that the City planners undertook the most thorough examination of the character of the area and their evidence is preferred all respects to the evidence of the Applicants' witnesses. Both City planners have more direct experience with development in the subject area than do the Applicant's planning

witnesses. Mr. Glover, although a highly respected planning witness, possesses no prior planning work experience in Port Credit and this was his first project here. The vision and experiences that he brought to the hearing were more informed by his downtown Toronto experiences and these did not enable the Board to find the proposed development to be suitable or appropriate for Port Credit. His examples offered little on the larger character of the neighbourhood or how this proposal would inform the Area Plan policies. Further, while the Board appreciated Mr. Giannone's skilful design of a contemporary residential building, the architect admitted under cross-examination that he had not looked at any other properties in the area and instead had focused on his client's site alone. His design is eminently more suited to other areas of the City as cited in these reasons that can more appropriately absorb the height and level of intensification without undermining planned context and neighbourhood character.

[54] The Board determines that the City's witnesses – and in particular Mr. Phillips – imparted far more comprehensive understanding of the planning regime and more persuasively applied the relevant planning policies to these lands and this neighbourhood in opining that the proposed development is not appropriate for the subject property. Their planning opinions were assigned more weight in this context and were helpful to the Board in assessing the evidence and adjudicating this case.

[55] Approval of the requested amendments would invariably set a dangerous precedent for increased heights in Port Credit – something that entirely undermines the direction that the City has carefully planned for this unique and special neighbourhood.

[56] The building represents excessive density and is inconsistent with the City's Official Plan policies. At 22 storeys, the building is too tall for this location; offers inadequate built form transition; and lacks conformity with the aforementioned policies. Moreover, it is not up to the City to show how the proposed amendments do not work; rather, the onus is on the Applicant to demonstrate through the planning instruments how the proposed amendments maintain the character and planning direction established in and for this area of the City. The Applicant and its witnesses have not achieved that standard.

[57] The Board finds that the proposal does not achieve the overall intent, goals, objectives and specific policies of Mississauga Official Plan or policies of either Mississauga Plan or of the Area Plan. The proposal is of a height, scale, massing and density that is excessive for the site and does not provide an adequate height transition

to adjacent low-rise buildings. The proposed development does not represent good land use planning and is not in the public interest. If approved, it would serve to erode the Port Credit Village character by undermining the policy direction that the City has set for this unique neighbourhood and set a disruptive precedent for similar development proposals.

ORDER

[58] The appeals are dismissed.

“R. Rossi”

R. ROSSI
MEMBER

