

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: February 24, 2025

CASE NO(S): OLT-22-004584

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Lightpoint (170 Lakeshore Road East Port Credit) Inc.
Subject: Request to amend the Official Plan – Failure to adopt the requested amendment
Description: To permit the development of a 15-storey mixed-use building, including a 6-storey podium, with 147 purpose-built residential rental units
Reference Number: OPA 21/16 W1
Property Address: 170 Lakeshore Road East
Municipality/UT: City of Mississauga/ Regional Municipality of Peel
OLT Case No.: OLT-22-004584
OLT Lead Case No.: OLT-22-004584
OLT Case Name: Lightpoint (170 Lakeshore Road East Port Credit) v. Mississauga (City)

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant/Appellant: Lightpoint (170 Lakeshore Road East Port Credit) Inc.
Subject: Application to amend the Zoning By-law – Neglect to make a decision
Description: To permit the development of a 15-storey mixed-use building, including a 6-storey podium, with 147 purpose-built residential rental units
Reference Number: OZ 21/16 W1
Property Address: 170 Lakeshore Road East
Municipality/UT: City of Mississauga/ Regional Municipality of Peel
OLT Case No.: OLT-22-004584
OLT Lead Case No.: OLT-22-004585

Heard: February 18, 2025 by Video Hearing

APPEARANCES:

Parties

Lightpoint (170 Lakeshore Road
East Port Credit) Inc.

City of Mississauga

Counsel

D. Bronskill

R. Kehar
B. Luo

MEMORANDUM OF ORAL DECISION DELIVERED BY C. HARDY ON FEBRUARY 18, 2025 AND INTERIM ORDER OF THE TRIBUNAL

BACKGROUND

[1] This Decision and Interim Order relate to a Hearing to consider a settlement proposal concerning appeals brought pursuant to s. 22(7) and s. 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended (“Act”) from the failure of the City of Mississauga (“City”) to render decisions within the prescribed timelines regarding applications for an Official Plan Amendment (“OPA”) and Zoning By-law Amendment (“ZBA”) (together referred to as “applications”). The appeals were filed by Lightpoint (170 Lakeshore Road East Port Credit) Inc. (“Appellant”) regarding lands municipally known as 170 Lakeshore Road East (“Subject Property”).

[2] A six-day Hearing of the merits commenced on April 15, 2024 (“Merit Hearing”). On the second day of the Merit Hearing Counsel for the Appellant became ill, resulting in the adjournment of the Merit Hearing, which was rescheduled for July 17, 2024. During the intervening months between the adjournment and the rescheduled Hearing dates, the Parties continued discussions, and the Appellant, with the consent of the City, requested that the July dates be adjourned to allow the Parties to continue without-prejudice discussions. As a result of the Parties’ hard work and positive communications, the Appellant presented a settlement offer to the City on September 6, 2024, which was

accepted and formally adopted by the City on September 11, 2024 by Council Resolution #0183-2024.

SETTLEMENT

[3] With the consent of the City, Jim Levac, a Registered Professional Land Use Planner retained by the Appellant, was duly qualified by the Tribunal to provide expert opinion evidence in the area of land use planning. Mr. Levac prepared an affidavit in support of the settlement, which was entered as **Exhibit 1** to the proceedings.

[4] The Parties filed Minutes of Settlement dated February 17, 2025 which were entered as **Exhibit 2** to the proceedings. The Parties requested that the Tribunal issue an Interim Order allowing the appeals in part and approving the proposed OPA and ZBA substantially in the forms found at Attachment 1 and Attachment 2 to this Interim Order.

[5] The City is supportive of the proposed settlement and provided brief submissions but did not present any evidence at the hearing

Site and Area Context

[6] On the first day of the Merit Hearing in April 2024, Mr. Levac had provided factual evidence setting out the site and area context. At the commencement of the Hearing to consider the settlement proposal, Mr. Levac providing a brief review of his factual evidence, referring to the Appellant's Visual Exhibits, which the Tribunal entered as **Exhibit 3** to the proceedings.

[7] The Subject Property is rectangular in shape and currently consists of a multi-tenant commercial structure with surface parking. It is approximately 0.28 hectares in size with approximately 59.5 metres of frontage along Lakeshore Road East and approximately 47.3 metres of frontage along Elmwood Avenue North.

[8] The lands surrounding the Subject Property consist of a variety of existing uses including low-rise residential and commercial / mixed-use. To the immediate north of the Subject Property is a 1.5 storey dwelling and further north are a mix of low-rise residential properties and Forest Avenue Public School. Immediately west of the Subject Property is a low-rise motor vehicle structure with surface parking and further west are a variety of land uses and built forms including a mid-rise retirement residence, car wash, restaurants and a tall apartment structure. Elmwood Avenue North is located immediately east of the Subject Property with a retail plaza and surface parking located further east. Lakeshore Road East is located immediately south of the Subject Property, while predominately forested areas and detached dwellings are located further south.

[9] Mr. Levac testified that the Subject Property has good locational attributes, and he focused on what he referred to as a “trifecta of transit infrastructure”. The Port Credit GO Station is located to the north of the Subject Property and the Hurontario light rail transit line (Hurontario LRT), which is currently under construction, is in close proximity and will terminate at the Port Credit GO station. In addition, there is a rapid transit line running along Lakeshore Avenue. As such, there is an abundance of existing and planned transit for the area in which the Subject Property is located.

Proposed Settlement

[10] In September 2024, the Appellant presented the City with a settlement proposal, which was ultimately accepted by the City. The settlement proposal is based on a revised proposal which would be implemented through the proposed OPA and ZBA. The OPA and ZBA are required to re-designate and re-zone the Subject Property to achieve a number of things, including: facilitating the development of a mix of uses; revising building envelope standards; revising development standards; revising parking standards; revising amenity area standards; and revising landscaping standards.

[11] Mr. Levac set out the “highlights” of the revisions from the original proposal to the settlement proposal, which included:

- a building re-design from a tower to slab construction;
- height reduction from 15 storeys (considered 17 with the rooftop) to 12 storeys;
- increased unit count from 148 units to 173 units with a Floor Space Index of 5.4;
- changes to the setbacks and stepbacks to improve the design of the building;
- a purpose-built rental building, which is the first of its kind proposed in Port Credit in a number of decades and includes a commitment for affordable rental units;
- reduction in the number of underground parking levels and the parking rate; and
- inclusion of an unencumbered 3 metre landscape buffer along the northerly perimeter

[12] To facilitate the proposed settlement, an OPA and ZBA are required substantially in the forms set out in Attachment 1 and Attachment 2. Mr. Levac explained that the draft OPA was set up in three parts. Part 1 sets out the purpose, location and description of the site and basis for the OPA. Part 2 details the proposed land use plan changes. Part 3 describes the Special Site policy that will be added to the Special Sites of the Port Credit Local Area Plan (“PCLAP”).

[13] Mr. Levac went through a detailed review of the ZBA, explaining that it was set up based on the standard template of the City for site-specific ZBAs. He noted that the draft ZBA would undergo a review with the internal committee at the City and as a result the draft set out in Attachment 2 may require some changes to mapping or content. The holding provision (“H”) is required as the Subject Property is changing from commercial to residential use. The H will ensure that any technical studies that require updating or amending will be completed and approved by the City before the H can be removed. Mr. Levac also pointed out the ZBA Schedule, which maintains a 3 metre landscaping buffer along the north perimeter, which is unencumbered, thereby preventing the underground

parking garage from being built below the buffer. This will ensure sufficient soil depth and volume to allow trees and landscaping features to grow.

[14] Counsel for the Appellant reviewed the Minutes of Settlement with the Tribunal, acknowledging that, while Minutes of Settlement cannot be approved by the Tribunal, it was important to explain how these minutes tie in to the proposed OPA and ZBA. He explained that this is an innovative settlement proposal which the Parties drafted to attempt to secure careful control to ensure the revisions to the proposal were captured in the ZBA, such as the unencumbered landscaping buffer and the delivery of residential rental housing units and affordable housing units.

[15] Counsel for the City explained that the delay in reaching a settlement was partly due to the complicated technical and legal issues encountered in determining how to structure the settlement and draft the planning instruments to secure revisions such as the rental housing units and the affordable housing units.

EVIDENCE

[16] In his affidavit, Mr. Levac provided a comprehensive contextual and planning rationale in support of the settlement proposal and the implementing planning instruments.

[17] Mr. Levac noted that the proposed OPA and ZBA will have sufficient regard for matters of Provincial interest set out in s. 2 of the Act. Mr. Levac pointed to a variety of subsections set out in s.2 including: s. 2(f), benefitting from existing municipal services; ss. 2(h) & (p), the redevelopment of an underutilized site in a busy urban area with a transit-oriented development which is accessible to many amenities and multi modal transit; and s. 2(j) the provision of affordable housing units. Mr. Levac opined that the proposed settlement facilitated by the OPA and ZBA meet Provincial interests set out under s. 2 of the Act.

[18] Mr. Levac explained that the planning justification report prepared by his firm referred to the Provincial Policy Statement, 2020, which was in force at the time the report was drafted. However, he reviewed the report in reference to the Provincial Planning Statement, 2024 (“PPS”) which is now in force, and concluded that the report is consistent with the PPS as many of the policies were carried forward. The PPS emphasizes the Provincial goal of building 1.5 million homes by 2031, establishing complete communities, and prioritizing compact and transit-supportive housing. Mr. Levac opined that the settlement proposal and implementing OPA and ZBA are consistent with the PPS for a number of reasons, including being supportive of multi-modal transportation services, providing for greater housing choice, intensification of a site within a Built-Up Area in close proximity to higher-order transit and helping to establish complete communities.

[19] In his affidavit, Mr. Levac explained that the Mississauga Official Plan (“MOP”) policies state that further guidance for land, like the Subject Property, which is within the Port Credit Neighbourhood Character Area and the Port Credit Community Node Character Area, is provided in the PCLAP. He opined that the settlement proposal and the proposed OPA and ZBA conform with the intent of the MOP by providing a compact pedestrian-oriented development in an appropriate location for development. This is a good example of intensification of a currently underutilized site. In his *viva voce* evidence, Mr. Levac focused on the policies set out in Chapter 5 of the MOP and opined that, reading the policies as a whole, the Subject Property is appropriate for the proposed development as it abuts a Community Node and a Major Transit Station Area where intensification is directed to occur. It was his opinion that the proposed development facilitated by the OPA and ZBA conform with the MOP policies and meet the planning objectives of the MOP.

[20] The PCLAP is a secondary plan that identifies the long-term framework for how growth and development is to be managed. Mr. Levac explained that the policies in the PCLAP are supportive of the principles of directing intensification through infill development along the Lakeshore Road corridor. Further, the housing-related policy framework in the PCLAP is consistent with the MOP which provides that a range of

housing choices are to be encouraged, and the proposal does this by offering purpose-built rental units. Mr. Levac opined that the proposal conforms with the PCLAP.

[21] Mr. Levac reviewed the concerns raised by the Participants, which included concerns related to infrastructure capacity constraints, groundwater, traffic, privacy and shadow. He explained that many of the concerns had been addressed through the functional servicing report. As noted above, traffic concerns have been mitigated through the re-designed settlement proposal, which includes a reduced parking garage and reduced parking ratio due to the locational attributes of the Subject Property being in close proximity to amenities and transit, thereby reducing car dependency and traffic. The slab construction of the redesigned building along with the revised setbacks and stepbacks will provide appropriate transition to the neighbourhoods to the north and east and mitigate any impacts from the development. In Mr. Levac's opinion, the redesigned development addresses the policies of the MOP and has addressed the concerns raised by the Participants.

[22] Mr. Levac opined that the OPA and ZBA that will facilitate the proposed settlement will not jeopardize the City structure, will contribute to the achievement of the City's planning objectives, will satisfy all requisite legislative tests and, overall, are representative of good planning and in the public interest.

ANALYSIS AND DISPOSITION

[23] The Tribunal accepts the uncontested opinion evidence of Mr. Levac and finds that the proposed OPA and ZBA are consistent with the PPS and are appropriate instruments to implement the Municipal and Provincial policy directions. The Tribunal has had regard for applicable policies and matters of Provincial interest set out in s. 2 of the Act and finds that the proposed OPA and ZBA constitute good land use planning. The Tribunal considered the information and materials that the City received in relation to the applications.

[24] In considering the matter, the Tribunal accepts Mr. Levac's opinion that the OPA and ZBA which will facilitate the proposed settlement represent a compatible form of development in an area with existing infrastructure and services. There is a need for additional housing options in the Province, and the settlement proposal is a form of appropriate intensification which will assist the City in achieving its intensification targets.

[25] The Tribunal accepts Mr. Levac's opinions proffered regarding concerns raised by the Participants. The Tribunal was persuaded that the locational attributes of the Subject Property combined with the reduced underground parking levels and parking ratio will encourage active transportation, thereby having little to no impact on traffic in the area. The redesigned slab construction with setbacks, stepbacks and other features will adequately mitigate any adverse impacts to surrounding areas.

[26] The Tribunal commends the Parties on working collaboratively to reach a unique and innovative revised proposal. As explained to the Tribunal through the submissions of Counsel and the evidence of Mr. Levac, the Parties faced complex issues in crafting the settlement and were able to draft the proposed OPA and ZBA to tie in the important clauses to the City which were set out in the Minutes of Settlement.

[27] The Tribunal accepts Mr. Levac's evidence and opinions and similarly finds that the proposed settlement is an appropriate and desirable use of the Subject Property and in conjunction with the OPA and ZBA are consistent with the PPS, conform with the MOP and PCLAP, have appropriate regard for matters of Provincial interest as set out in s. 2 of the Act, and overall represent good land use planning.

INTERIM ORDER

[28] **THE TRIBUNAL ORDERS THAT** the appeals of the Appellant are allowed in part, on an interim basis, contingent upon confirmation, satisfaction or receipt of those pre-requisite matters identified in paragraph 29 below, and the Official Plan Amendment and Zoning By-law Amendment substantially in the forms set out in Attachment 1 and Attachment 2 respectively to this Interim Order are hereby approved in principle.

[29] The Tribunal will withhold the issuance of its Final Order contingent upon confirmation of the City of the following pre-requisite matters:

- The Tribunal has received, and approved, the Official Plan Amendment submitted in a final form, confirmed to be satisfactory to the City;
- The Tribunal has received, and approved, the Zoning By-law Amendment submitted in a final form, confirmed to be satisfactory to the City;
- The Tribunal is advised that the Owner/Appellant has entered into an agreement with the City to secure: (i) the rental tenure of the residential units; and (ii) the two (2) affordable residential rental units, as defined in the Minutes of Settlement filed as Exhibit 2 with the Tribunal, such agreement to be registered on title to the Subject Property, all to the satisfaction of the City Solicitor or their designate, which agreement shall include, but not be limited to, the terms and conditions set out in Clauses 7, 8 and 9 of the Minutes of Settlement; and
- The Tribunal is advised that the Restrictive Covenants referenced in Clause 8 of the Minutes of Settlement are registered on title to the Lands.

[30] The Member will remain seized for the purposes of reviewing and approving the final drafts of the Official Plan Amendment and Zoning By-law Amendment and the issuance of the Final Order.

[31] Within six (6) months of the issuance of this Interim Order, the Parties will either provide the Tribunal with a status update or submit final drafts of the Official Plan Amendment and Zoning By-law Amendment and provide confirmation that all other contingent pre-requisites to the issuance of the Final Order have been satisfied and will request issuance of the Final Order.

[32] The Tribunal may, as necessary, arrange the further attendance of the Parties to determine additional timelines and deadlines for the submission of the final form of the instruments, the satisfaction of the contingent pre-requisites and the issuance of the Final Order.

“C. Hardy”

C. HARDY
VICE CHAIR

Ontario Land Tribunal

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The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal. (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.

ATTACHMENT 1

**Amendment No. XXX
to
Mississauga Official Plan**

The following text and Map 'A' attached hereto constitute Amendment No. XXX

PURPOSE

The purpose of this Amendment is to amend Schedule 10, Land Use Designations and to amend the Port Credit Local Area Plan to include the Subject Lands as a Special Site.

LOCATION

The lands affected by this Amendment are located on the north side of Lakeshore Road East, west of Elmwood Avenue North. The land is municipally addressed as 170 Lakeshore Road East. The Subject Lands are located within the Port Credit Neighbourhood (East) Character Area, as identified in the Mississauga Official Plan.

BASIS

The Mississauga Official Plan came into effect on November 14, 2012, save and except for the outstanding site specific appeals at the Ontario Land Tribunal.

The Mississauga Official Plan ('MOP') contains a City Structure which outlines where growth ought to be encouraged and discouraged within the City. The City Structure is comprised of Intensification Areas and Non-Intensification Areas. Intensification Areas include Downtown, Major Nodes, Community Nodes, Corporate Centres, Intensification Corridors and Major Transit Station Areas. Intensification Areas are the principal location for future growth within the City. The Subject Lands are located within the Neighbourhood component of the City Structure and along a Corridor. Corridors are lands where compact, transit-oriented development is to be encouraged.

As per the Port Credit Local Area Plan, a maximum building height of two to four storeys is permitted and density is not specified. The City requires that a Special Site policy be added to permit the proposed building height and density: this has been included in the enclosed implementing Official Plan Amendment.

The Subject Lands are currently designated 'Mixed Use'. Permitted uses on the Subject Lands include commercial parking facility, financial institution, funeral establishment, markerspaces, motor vehicle rental, motor vehicle sales, overnight accommodation, personal service establishment, post-secondary educational facility, residential in conjunction with other permitted uses, restaurant, retail store and secondary office. The Official Plan Amendment is required to redesignate the Subject Lands to 'Residential High Density'.

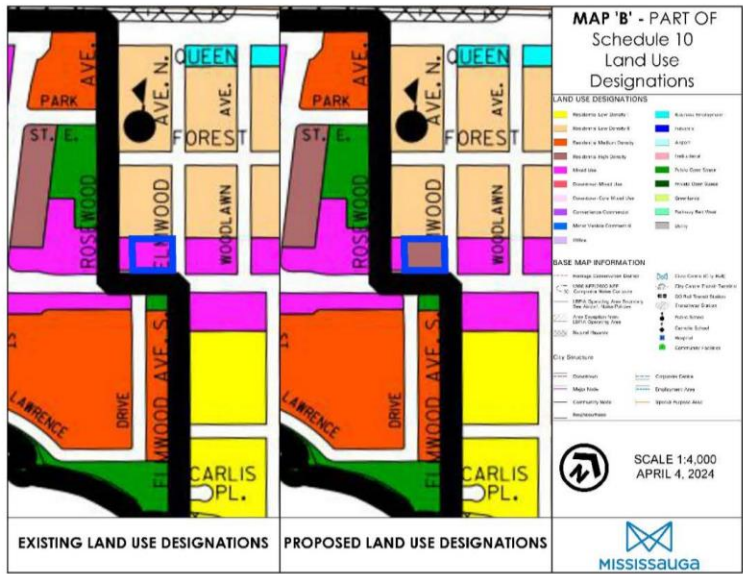
As previously stated, the Subject Lands are located within the Port Credit Neighbourhood Character Area of the Mississauga Official Plan. This Amendment proposes to include the Subject

Lands as a Special Site. The Special Site policy will permit a maximum building height of 12 storeys, an apartment built form and a maximum density of 5.4 FSI on the Subject Lands. The proposed Official Plan Amendment is acceptable from a planning perspective and should be approved for the reasons as follows:

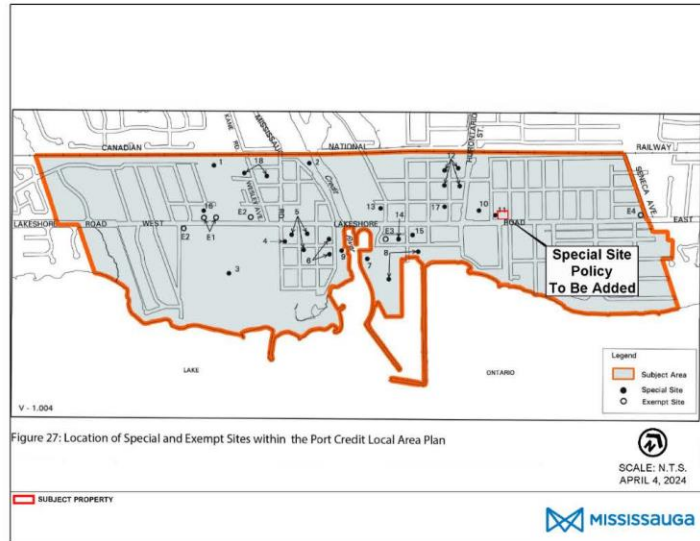
1. The proposed development is consistent with the Provincial Planning Statement (2024) and conforms to and does not conflict with the Region of Peel Official Plan (2022). The proposed development represents reinvestment and intensification of an underutilized site and will better utilize land and infrastructure.
2. The Subject Lands are located within a comfortable 5-minute walking distance of higher order transit stops – including the Port Credit GO Station, the Hazel McCallion Light Rail Transit (‘LRT’) network and the planned Lakeshore Bus Rapid Transit (‘BRT’) network. Furthermore, the Subject Lands are located within a comfortable walking distance of existing street-level transit services, the Hurontario Street Intensification Corridor and an extensive retail area. As noted in the Provincial Planning Statement, the Region of Peel Official Plan and the Mississauga Official Plan, lands with such locational attributes are where intensification and compact development ought to be directed. Transit-supportive development should also be directed to these locations.
3. The proposed development will utilize existing servicing and future servicing can be provided in an efficient, cost-effective manner.
4. The proposal with a height of 12 storeys and a Floor Space Index of 5.4 is a transit-supportive development on lands that are well-served by existing transit networks. The Site is also well-served by existing greenspace, active transit networks and service and retail establishments in the surrounding area. Bringing additional residents to this otherwise underutilized parcel will bring families and households within comfortable walking distance to an abundance of services, facilities and amenities which will support the creation of Port Credit as a complete, 15-minute, walkable community.
5. The proposed development will allow for the introduction of high-quality, purpose-built rental dwelling units. The provision of more than 170 purpose-built rental residential dwelling units on the Subject Lands is appropriate, desirable and will contribute to supporting housing choice.
6. The proposed development will improve and contribute to the Lakeshore Road East and Elmwood Avenue North streetscapes by providing a built form that frames the street and has a principal entrance that is directly accessible from the public sidewalk. This will enable the provision of an active, main street with pedestrian activity.

DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

- Schedule 10, Land Use Designations, of the Mississauga Official Plan, is hereby amended by redesignating the Subject Lands to 'Residential High Density'.



- Section 13.0 of the Port Credit Local Area Plan, of the Mississauga Official Plan, is hereby amended by modifying Figure 27, Location of Special and Exempt Sites to add a Special Site X policy.



3. Section 13.1, Special Sites of the Port Credit Local Area Plan, of the Mississauga Official Plan, is hereby amended by adding Special Site X policy provisions as follows:

- 13.1.X.XX. The lands identified as Special Site X are located on the north side of Lakeshore Road East, west of Elmwood Avenue North.
- 13.1.X.XX Notwithstanding the policies of this Plan, an apartment building with a maximum height of 12 storeys will be permitted.
- 13.1.X.XX Notwithstanding the policies of this Plan, an apartment building with a maximum density of 5.4 FSI will be permitted.

IMPLEMENTATION

Upon the approval of this Amendment by the Council of the Corporation of the City of Mississauga, the Mississauga Official Plan will be amended in accordance with this Amendment.

The lands will be rezoned to implement this Amendment.

This Amendment has been prepared based on the Office Consolidation of the Mississauga Official Plan dated August 7, 2024.

INTREPRETATION

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

This Amendment supplements the intent and policies of the Mississauga Official Plan.

A By-law to Adopt Mississauga Official Plan Amendment No. XXX

WHEREAS in accordance with the provisions of Sections 17 and 21 of the *Planning Act*, R.S., 1990, c.P. 13, as amended (*“Planning Act”*), Council may adopt an Official Plan or an amendment thereto;

AND WHEREAS, Council desired to adopt certain amendments to the Mississauga Official Plan to modify the land use designations and to modify a Special Site Policy within the Port Credit Neighbourhood Character Area;

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

- 1. The document attached hereto, constituting Amendment No. XXX to Mississauga Official Plan, is hereby adopted.

ENACTED and PASSED this _____ day of _____, 20XX.

Mayor

Clerk

ATTACHMENT 2

A by-law to amend By-law Number 0225 – 2007, as amended

WHEREAS pursuant to section 34 and 36 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, the council of a local municipality may pass a zoning by-law which includes a holding provision;

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

1. By-law Number 0225 – 2007, as amended, being a City of Mississauga Zoning By-law, is amended by adding the following Exception Table:

4.15.4.XX	Exception: RA3-XX	Map # XX	By-law:
In a RA3-XX zone the permitted uses and applicable regulations shall be as specified for a RA3 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
4.15.4.XX.1	(1) Art Gallery (2) Restaurant (3) Take-out Restaurant (4) Recreational Establishment		
Regulations			
4.15.4.XX.2	The provisions contained in Table 2.1.14.1 and Subsection 2.1.30 of this By-law shall not apply		
4.15.4.XX.3	Non-residential uses shall not be permitted above the first storey		
4.15.4.XX.4	Minimum gross floor area – non-residential that shall be located within the first storey	625.8 m ²	
4.15.4.XX.5	Notwithstanding any other provisions of this By-law, a mezzanine shall not be considered a storey		
4.15.4.XX.6	Notwithstanding any other provision of this By-law, a rooftop amenity area and mechanical penthouse shall be permitted and shall not be considered a storey for the purposes of zoning		
4.15.4.XX.7	Maximum floor space index – apartment zone	5.4	
4.15.4.XX.8	Notwithstanding Sentence 4.15.4.XX.20 of this Exception, maximum encroachment of a balcony located above the first storey , sunroom, window, chimney , pilaster, cornice, balustrade or roof eaves beyond the buildable area	1.8 m	
4.15.4.XX.9	Notwithstanding Sentence 4.15.4.XX.20 of this Exception, 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	1.8 m	
4.15.4.XX.10	Minimum number of combined visitor and non-residential parking spaces per rental apartment dwelling unit	0.12	

4.15.4.XX	Exception: RA3-XX	Map # XX	By-law:
In a RA3-XX zone the permitted uses and applicable regulations shall be as specified for a RA3 zone except that the following uses/regulations shall apply:			
4.15.4.XX.11	Minimum number of residential parking spaces per rental apartment dwelling unit		0.15
4.15.4.XX.12	Minimum number of loading spaces to be provided for non-residential and residential uses		1
4.15.4.XX.13	Minimum number of combined non-residential and residential Class A bicycle parking spaces per rental apartment dwelling unit		0.85
4.15.4.XX.14	Minimum number of combined non-residential and residential Class B bicycle parking spaces per rental apartment dwelling unit		0.08
4.15.4.XX.15	Tandem parking spaces shall be permitted		
4.15.4.XX.16	Minimum landscaped area		10% of the lot area
4.15.4.XX.17	Minimum amenity area		5.2 m ² per dwelling unit
4.15.4.XX.18	Notwithstanding any other provisions of this By-law, contiguous amenity areas and at-grade amenity area shall not be required		
4.15.4.XX.19	Notwithstanding any other provisions of this By-law, a transformer that exceeds 5 square metres shall be permitted within the landscape buffer		
4.15.4.XX.20	All site development plans shall comply with Schedule RA3-XX of this Exception		
Holding Provision			

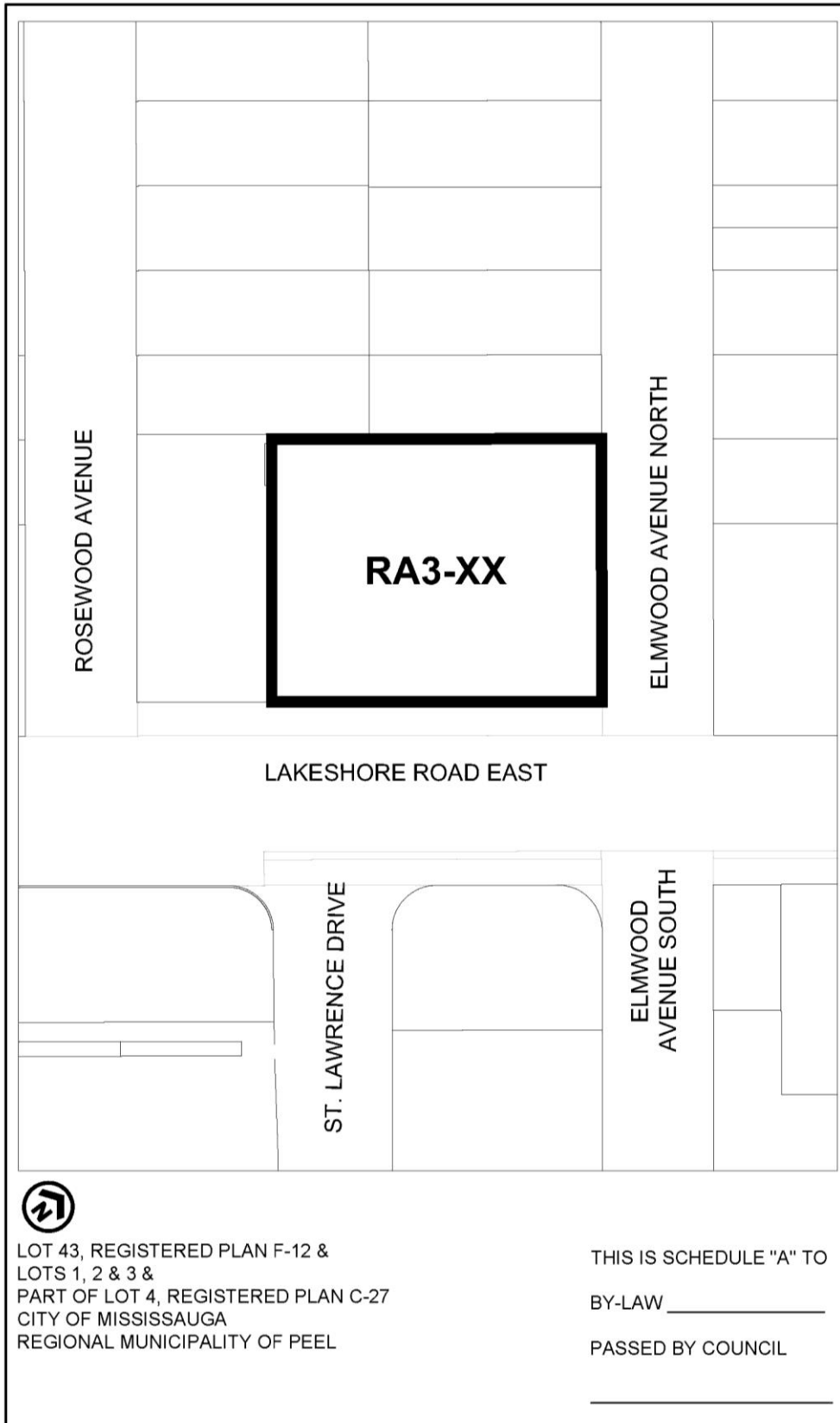
The holding symbol H is to be removed from the whole or any part of the lands zoned H-RA3-XX by further amendment to Map XXX of Schedule B contained in Part 13 of this By-law, as amended, upon satisfaction of the following requirements:

- (1) delivery of an executed Development Agreement in a form and on terms satisfactory to the Corporation of the City of Mississauga ("City");
- (2) receipt of the following environmental studies and documents to the satisfaction of the City's Transportation and Works Department: letters of reliance for Phases One and Two Environmental Site Assessments, updated Phase One and Two Environmental Site Assessments, decommissioning plans and documents, letter from qualified person regarding land dedication;
- (3) completion and filing of a Record of Site Condition (RSC) with the Ministry of Environment, Conservation and Parks;
- (4) provision for a daylight triangle at the intersection of Lakeshore Road East and Elmwood Avenue North, to the satisfaction of the City's Transportation and Works Department;
- (5) receipt of an updated Functional Servicing and Stormwater Management Report to the satisfaction of the City's Transportation and Works Department;
- (6) receipt of revised Civil Plans to the satisfaction of the City's Transportation and Works Department;
- (7) receipt of a Storm Sewer Acknowledgement Form to the satisfaction of the City's Transportation and Works Department;
- (8) receipt of a revised Transportation Impact Study to the satisfaction of the City's Transportation and Works Department;
- (9) receipt of a revised Streetscape Feasibility Study to the satisfaction of the City's Transportation and Works Department;
- (10) receipt of a revised Noise Feasibility Study to the satisfaction of the City's Transportation and Works Department;
- (11) provision of an environmental easement to accommodate operational emissions by GO Transit, to the satisfaction of the City's Transportation and Works Department;

4.15.4.XX	Exception: RA3-XX	Map # XX	By-law:
<p>In a RA3-XX zone the permitted uses and applicable regulations shall be as specified for a RA3 zone except that the following uses/regulations shall apply:</p>			
<p>(12) receipt of revised architectural drawings to the satisfaction of the City's Planning and Building Department;</p> <p>(13) receipt of a revised Sun/Shadow Study to the satisfaction of the City's Planning and Building Department;</p> <p>(14) receipt of a Pedestrian Wind Study to the satisfaction of the City's Planning and Building Department;</p> <p>(15) receipt of a revised Arborist Report and Tree Inventory and Preservation Plan to the satisfaction of the City's Parks Department;</p> <p>(16) receipt of a revised Waste Management Plan to the satisfaction of the Region of Peel and the City's Transportation and Works Department.</p>			

2. Map Number XXX of Schedule "B" to By-law Number 0225 – 2007, as amended, being a City of Mississauga Zoning By-law, is amended by changing thereon from "C4-XX" to "H-RA3-XX", the zoning of Lot 43, in the City of Mississauga, PROVIDED HOWEVER THAT the "H-RA3-XX" zoning shall only apply to the lands which are shown on the attached Schedule 'A', which is deemed to be an integral part of this By-law, outlined in the heaviest broken line with the "H-RA3-XX" zoning indicated thereon.
3. This By-law shall not come into force until Mississauga Official Plan Amendment Number XXX is in full force and effect.

ENACTED and PASSED this _____ day of _____, 2024.



LOT 43, REGISTERED PLAN F-12 &
 LOTS 1, 2 & 3 &
 PART OF LOT 4, REGISTERED PLAN C-27
 CITY OF MISSISSAUGA
 REGIONAL MUNICIPALITY OF PEEL

THIS IS SCHEDULE "A" TO
 BY-LAW _____
 PASSED BY COUNCIL

