



November 21, 2022

Robert Ruggiero, MCIP, RPP  
Planner, Planning Services Centre  
City of Mississauga, Planning and Building Department  
300 City Centre Drive  
Mississauga, ON L5B 3C1

Dear Mr. Ruggiero:

**Re: *Planning Addendum Letter  
Official Plan and Zoning By-law Amendment Application Resubmission  
File No. OZ/OPA 20 3  
1840-1850 Bloor Street, Mississauga***

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## 1. INTRODUCTION

We are the planning consultants for Rane Management (registered owner known as 1840-1850 Bloor East Ltd., the “Owner”) with respect to the properties municipally known as 1840-1850 Bloor Street (the “subject site”).

This letter (the “Addendum”) has been prepared as an addendum to our March 2020 Planning and Urban Design Rationale report (“2020 Planning Rationale”) to address subsequent changes to the policy context as well as revised plans which are being submitted to the City concurrently with this Addendum.

This Addendum concludes that, with the design revisions, the proposed development continues to be appropriate from the perspectives of land use policy, built form and urban design. Subject to the additional comments set out herein, the findings and analysis set out in our 2020 Planning Rationale continue to be relevant and accurate.

This Addendum also provides information related to the Owner’s request to reclassify a portion of the subject site as a Class 4 Area, as defined in the Province’s Environmental Noise Guidelines (“NPC-300”). On October 4, 2022, Bousfields Inc. submitted a letter to City Planning (the “Bousfields Letter”, attached to this Addendum as **Appendix A**), outlining the background to the request, a summary of projects designated Class 4 in the City of Mississauga, and an analysis of NPC-300 noise guidelines and the City’s Official Plan noise policies. The Bousfields Letter concludes that, in our opinion, the Class 4 sound level limits should be applied to a portion of the subject site to permit the proposed redevelopment.

The line delineating the limits of the Class 4 area is shown on the Site Plan submitted as part of this resubmission and is discussed in greater detail in our analysis below.

## 2. DESCRIPTION OF THE REVISED PROPOSAL

Since the initial submission in March 2020, there have been a number of changes to site circulation and layout, and minor changes to the building design as a result of feedback received from the City, outlined below and in the Response to Comments Matrix included as part of the resubmission package. It is our opinion that the revisions will continue to support the development of the subject site with new rental housing that is compatibly designed to fit within an existing “tower-in-the-park” apartment site and its surroundings.

Notable changes are as follows:

- The design and organization of the proposed surface parking areas have been revised to eliminate dead end aisles wherever possible, with turnaround areas provided in dead end aisles.
- Improved pedestrian connections to the public sidewalk are provided.
- Bicycle storage has been concentrated in a single area near the north-east residential lobby.
- An additional at-grade outdoor amenity area has been added to the south of Building A (438 square metres).
- A path connection has been provided to the hydro corridor to the west.
- Garbage pick-up for the existing buildings will take place within the new buildings to reduce noise and odour. Garbage from Buildings A and B will continue to be stored within these buildings, but will be transferred by tractor to Buildings D and C, respectively, as outlined in the Response to Comments Matrix. Loading spaces at Building A and B will be retained for move-in/move-out purposes.
- The outdoor amenity area on the fourth floor has been revised to better align with the adjacent indoor amenity space.

A summary setting out a comparison of the revised design to the original proposal is provided in **Table 1** below.

*Table 1 – Statistical Comparison*

	<b>Original Submission (March 2020)</b>	<b>Resubmission (January 2023)</b>
Site Area	39,279.63 m <sup>2</sup>	39,284.44 m <sup>2</sup> (change due to previous error)
Height	18 storeys	18 storeys

	(56.78 m to top of roof)	(56.87 m to top of roof)
Residential GFA	32,230.39 m <sup>2</sup>	31,580.94 m <sup>2</sup>
FSI	1.69	1.67
Dwelling Units	433	433
<u>Amenity Space</u>	<u>4,295.23 m<sup>2</sup></u>	<u>4,296.20 m<sup>2</sup></u>
Indoor	771.69 m <sup>2</sup>	649.13 m <sup>2</sup>
Outdoor	3,523.54 m <sup>2</sup>	3,647.07 m <sup>2</sup>
Parking	<u>585 spaces</u> 499 spaces for residents 87 spaces for visitors	<u>586 spaces</u> 499 spaces for residents 87 spaces for visitors
Bicycle Parking	<u>368 spaces</u> 303 long-term spaces 65 short-term spaces	<u>446 spaces</u> 380 long-term spaces 66 short-term spaces

### 3. POLICY AND REGULATORY CONTEXT UPDATE

#### 3.1 Provincial Policy Statement (2020)

Since the submission of the application, the Ministry of Municipal Affairs and Housing released the Provincial Policy Statement, 2020, which came into effect on May 1, 2020 (the “2020 PPS”).

The 2020 PPS provides policy direction on matters of Provincial interest related to land use planning and development. In accordance with Section 3(5) of the Planning Act, all decisions that affect a planning matter are required to be consistent with the 2020 PPS. In this regard, Policy 4.2 provides that the 2020 PPS “shall be read in its entirety and all relevant policies are to be applied to each situation”.

As compared with the 2014 Provincial Policy Statement, the 2020 PPS includes an increased emphasis on encouraging an increase in the mix and supply of housing, protecting the environment and public safety, reducing barriers and costs for development and providing greater certainty, and supporting the economy and job creation.

Part IV of the 2020 PPS sets out the Province’s vision for Ontario, and promotes the wise management of land use change and efficient development patterns:

*“Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel. They support the financial well-being of the Province and municipalities over the long term, and minimize the*

*undesirable effects of development, including impacts on air, water and other resources. They also permit better adaptation and response to the impacts of a changing climate, which will vary from region to region.”*

One of the key policy directions expressed in the 2020 PPS is to build strong communities by promoting efficient development and land use patterns. To that end, Part V of the PPS contains a number of policies that promote intensification, redevelopment and compact built form, particularly in areas well served by public transit.

In particular, Policy 1.1.1 provides that healthy, liveable and safe communities are be sustained by: promoting efficient development and land use patterns; accommodating an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and open space, and other uses to meet long-term needs; avoiding development and land use patterns which may cause environmental or public health and safety concerns; and promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments and standards to minimize land consumption and servicing costs.

Policy 1.1.3.2 supports densities and a mix of land uses which efficiently use land, resources, infrastructure and public service facilities and which are transit-supportive, where transit is planned, exists or may be developed. Policy 1.1.3.3 directs planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment, where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities.

In addition, Policy 1.1.3.4 promotes appropriate development standards, which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

With respect to noise and compatibility between the proposed development and Employment Area to the south, Section 1.2.6 outlines policies that relate to land use compatibility between “major facilities” and “sensitive land uses”.

The 2020 PPS defines “major facilities” as “facilities which may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction

activities”. The 2020 PPS defines “sensitive land uses” as “buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.”

Policy 1.2.6.1 requires major facilities and sensitive land uses to be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

According to Policy 1.2.6.2, where avoidance is not possible in accordance with Policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:

- a) there is an identified need for the proposed use;
- b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
- c) adverse effects to the proposed sensitive land use are minimized and mitigated; and
- d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

Policy 1.3.2.2, which relates to employment areas, requires that employment areas planned for industrial and manufacturing uses shall provide for separation or mitigation from sensitive land uses to maintain the long-term operational and economic viability of the planned uses and function of these areas.

With respect to housing, Policy 1.4.3 requires provision to be made for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents by, among other matters, permitting and facilitating all types of residential intensification and redevelopment, promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of active transportation and transit, and requiring transit-supportive development and prioritizing intensification in proximity to transit, including corridors and stations.

Policy 1.5.1 (public spaces, recreation, parks, trails and open space) provides that healthy, active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity, and planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces and open space areas.

The efficient use of infrastructure (particularly transit) is a key element of provincial policy (Section 1.6). Section 1.6.3 states that the use of existing infrastructure and public service facilities should be optimized, before consideration is given to developing new infrastructure and public service facilities. With respect to transportation systems, Policy 1.6.7.4 promotes a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

Policy 1.7.1 of the 2020 PPS states that long-term prosperity should be supported through a number of initiatives including: promoting opportunities for economic development and community investment-readiness; encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and a range of housing options for a diverse workforce; optimizing the use of land, resources, infrastructure and public service facilities; maintaining and enhancing the vitality and viability of downtowns and mainstreets; and encouraging a sense of place by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources.

With respect to energy conservation, air quality and climate change, Policy 1.8.1 directs planning authorities to support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions and preparing for the impacts of a changing climate through land use and development patterns which: promote compact form and a structure of nodes and corridors; promote the use of active transportation and transit in and between residential, employment and other areas; encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion.

While Policy 4.6 provides that the official plan is “the most important vehicle for implementation of this Provincial Policy Statement”, it goes on to say that “the policies of this Provincial Policy Statement continue to apply after adoption and approval of an official plan”. Accordingly, the above-noted 2020 PPS policies continue to be relevant and determinative.

It continues to be our opinion that the proposed development and, more particularly, the requested amendments to the City of Mississauga Official Plan and Zoning By-law are consistent with the 2020 PPS and, in particular, the policies relating to residential intensification, the efficient use of land and infrastructure, and land use compatibility with the adjacent Employment Area.

### *3.2 Growth Plan for the Greater Golden Horseshoe*

Since the submission of the application, the Ministry of Municipal Affairs and Housing amended A Place to Grow: The Growth Plan for the Greater Golden Horseshoe (the “2019 Growth Plan”) on August 28, 2020 by Growth Plan Amendment No. 1.

With respect to forecasted growth, Schedule 3 of the Growth Plan now forecasts a population of 2,280,000 and 1,070,000 jobs for the Region of Peel by 2051.

With respect to the Employment Area to the south, Policy 2.2.5(8) requires that the development of sensitive land uses, major retail uses or major office uses will, in accordance with provincial guidelines, avoid, or where avoidance is not possible, minimize and mitigate adverse impacts on industrial, manufacturing or other uses that are particularly vulnerable to encroachment. The definition of “sensitive land uses” in the 2019 Growth Plan is the same as the definition in the 2020 PPS.

It continues to be our opinion that the proposed development and, more particularly, the requested amendments to the Official Plan and Zoning By-law conform with the 2019 Growth Plan and specifically the policies supporting the development of “complete communities” and the policies that seek to optimize the use of land and infrastructure, as well as the policies that require development to mitigate and minimize adverse impacts on industrial uses.

### *3.3 Region of Peel Official Plan*

On November 4, 2022, the Ministry of Municipal Affairs and Housing approved a new Peel Region Official Plan (the “ROP”), as modified, which repealed and replaced the 1996 Peel Region Official Plan. The new ROP outlines a comprehensive land use policy framework to guide growth and development within the Region to 2051, including policies and schedules that address housing and growth management; long-term planning for employment and infrastructure; protection of water resources, natural heritage, and rural/agricultural systems; and plan for climate change.

The subject site is located within the Urban Area and the Delineated Built-Up Area, as identified on Schedule E-1 – Regional Structure (**Figure 1**) and Schedule E-3 – The Growth Plan Policy Areas in Peel (**Figure 2**). It should be noted that the ROP Schedules included in this Addendum are taken from the April 2022 Regional Council



approval. Amendments made to the Schedules by the Ministry of Municipal Affairs and Housing have not yet been consolidated by the Region, but do not affect the subject site.

The subject site is also located directly north of the northern boundary of the DUN-17 Wharton Way major transit station area on Schedule E-2 – Strategic Growth Areas (**Figure 3**). A planned stop on the Dundas BRT will be located at Dundas Street and Wharton Way. The subject site is located approximately 950 metres north of the planned transit stop, and there is a pedestrian path connection to Dundas Street from Bloor Street southward through the hydro corridor adjacent to the subject site.

With respect to the regional structure, Policy 5.3.1 directs the vast majority of new population and employment growth to the Urban System, being lands within the Delineated Built-up Area with a focus on Strategic Growth Areas and other areas that leverage existing and planned infrastructure investments.

Policy 5.3.3 requires planning for major facilities and sensitive land uses to be appropriately designed, buffered and/or separated from each other to prevent adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, in accordance with the PPS, and to ensure the long-term operational and economic viability of major facilities in accordance with the applicable provincial guidelines, standards and procedures.

With respect to growth management, Section 5.4 outlines Regional objectives which include:

- optimizing the use of the existing land supply of the Region by directing a significant portion of growth to the Delineated Built-up Areas through intensification, particularly Strategic Growth Areas such as the Urban Growth Centres, intensification corridors and Major Transit Station Areas;
- establishing minimum intensification, employment density, and greenfield density targets;
- optimizing the use of the existing and planned infrastructure and services;
- promoting the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- supporting planning for complete communities in Peel that are compact, well-designed, transit-supportive, offer transportation choices, include a diverse mix of land uses, accommodate people at all stages of life and have an appropriate mix of housing, a good range of jobs, high quality open space, and easy access to retail and services to meet daily needs; and
- protecting and promoting human health.



Policy 5.4.10 directs the local municipalities to incorporate official plan policies to develop complete communities that are well-designed, transit-supportive, offer transportation choices, include a diverse mix of land uses in a compact built form, accommodate people at all stages of life and have an appropriate mix of housing, a good range of jobs, high quality public open space and easy access to retail and public service facilities.

Policy 5.4.11 directs a significant portion of new growth to the Delineated Built-up Areas of the community through intensification. Policy 5.4.16 requires the Region to employ a comprehensive, integrated approach to land use planning, infrastructure planning and infrastructure investment to achieve the objectives of this Plan.

With respect to intensification, Section 5.4.18 outlines Regional objectives which include:

- achieving efficient and compact built forms;
- optimizing the use of existing infrastructure and services;
- revitalizing and/or enhancing developed areas;
- intensifying development on underutilized lands;
- reducing dependence on the automobile through the development of mixed-use, transit-supportive, pedestrian-friendly urban environments;
- optimizing all intensification opportunities across the Region and maximizing development within Strategic Growth Areas; and
- achieving a diverse and compatible mix of land uses including residential and employment uses to support vibrant neighbourhoods.

To that end, Policy 5.4.18.10 requires the Region to facilitate and promote intensification, and Policy 5.4.18.11 provides that intensification should be accommodated within Urban Growth Centres, intensification corridors, nodes and Major Transit Station Areas and any other appropriate areas within the Delineated Built-up Area.

Policy 5.4.18.12 requires that, between 2021 and 2051, a minimum of 55 per cent of the Region's residential development occurring annually to be located within the Delineated Built Boundary, and Policy 5.4.18.13 requires that, for the City of Mississauga, a minimum of 96 per cent of residential development shall be within the Delineated Built Boundary.

Policy 5.4.18.16 directs local municipalities to delineate Strategic Growth Areas which include Urban Growth Centres, intensification corridors, nodes/centres and Major Transit Station Areas.

With respect to the Urban System, Section 5.6 outlines Regional objectives which include:

- achieving intensified and compact built form and a mix of land uses in appropriate areas that efficiently use land, services, infrastructure and public finances while taking into account the characteristics of existing communities and services; and
- achieving an urban structure, form and densities which are pedestrian-friendly and transit-supportive.

Policy 5.6.11 directs urban development and redevelopment to the Urban System within the Regional Urban Boundary consistent with the policies in the ROP and the local municipal official plan.

Policy 5.6.15 directs the local municipalities, while taking into account the characteristics of existing communities, to include policies in their official plans that:

- a) support the Urban System objectives and policies in the ROP;
- b) support pedestrian-friendly and transit-supportive urban development;
- c) provide transit-supportive opportunities for redevelopment, intensification and mixed land use; and
- d) support the design of communities to minimize crime by the use of such approaches as Crime Prevention Through Environmental Design (CPTED) principles.

With respect to Strategic Growth Areas, Section 5.6.17 states that Strategic Growth Areas identified on Schedule E-2 are priority areas for intensification and higher densities to make efficient use of land and infrastructure. Schedule E-2 (see **Figure 3**) does not locate the subject site within a Strategic Growth Area. However, in our opinion, the subject site meets the definition of a “strategic growth area” as defined in the ROP and the Growth Plan. In that regard, the City of Mississauga has identified the subject site, and other sites along the East Bloor Corridor, as an appropriate location for accommodating intensification and higher-density uses in a more compact built form.

For lands located outside of Strategic Growth Areas (as identified on Schedule E-2), Policy 5.6.17.10 encourages local municipalities to, where appropriate, identify other major intensification opportunities such as infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings and greyfields in their official plans and support increased residential and employment densities within these areas to ensure the viability of transit and a mix of residential, office, institutional and commercial development.

As noted above, the East Bloor Corridor Study has identified the subject site as an intensification opportunity that provides increased residential density along Bloor Street through the infill of an existing apartment site.

Policy 5.6.17.13 encourages the establishment of nodes and corridors in the Delineated Built-up Area and Designated Greenfield Areas to support compact urban forms and transit-supportive development where frequent transit and higher order transit service is planned. As noted in our 2020 Planning Rationale, the bus service along Bloor Street conforms to the definition of “frequent transit”.

With respect to noise mitigation and the adjacent Employment Area, Policy 5.8.7 requires the Region to plan for, protect and preserve, Employment Areas for employment uses, including preserving the long-term viability by avoiding, minimizing, or mitigating the adverse impacts of residential development and other sensitive land uses on Employment Areas. Policy 5.8.29 directs the local municipalities to include policies in their official plans that provide an appropriate interface between Employment Areas and adjacent non-employment areas to maintain land use compatibility.

With respect to housing, Section 5.9 outlines Regional objectives which include:

- promoting the development of compact, complete communities by supporting intensification and higher density forms of housing;
- achieving Peel-wide new housing unit targets shown in Table 4 of the ROP, which provide an appropriate range and mix of housing options and densities, including affordable housing, that meet local housing need so that people can live in the community of their choice. The housing targets from Table 4 are listed below:
  - 30% of all new housing units are affordable housing, of which 50% of all affordable housing units are encouraged to be affordable to low income households.
  - 25% of all new housing units are rental tenure,
  - 50% of all new housing units are in forms other than detached and semi-detached houses; and
- ensuring an adequate supply of rental housing stock to meet local need.

Policy 5.9.13 directs the Region to collaborate with the local municipalities to provide a range of unit sizes in new multi-unit residential developments, including the provision of two or more bedroom family-sized units. The proportion of unit types may vary over time and shall align with housing need as identified through Regional and local municipal strategies, planning approval processes, needs assessments, and market studies.

Policy 5.9.17 directs the Region to collaborate with the local municipalities to explore tools and programs to maximize the opportunity for existing buildings or land, redevelopment, and new development to improve and retain rental units and support the creation of new rental units.

Policy 5.9.27 directs the Region to collaborate with the local municipalities and other stakeholders such as the conservation authorities, the building and development industry, and landowners to encourage new residential development, redevelopment, and intensification in support of Regional and local municipal official plan policies promoting compact built forms of development and residential intensification.

With respect to the transportation system, Section 5.10 outlines Regional objectives, which include:

- optimizing the use of existing Regional transportation infrastructure and services by prioritizing the safe, sustainable and efficient movement of people and goods by all modes; and
- supporting the integration of transportation planning, transportation investment and land use planning, in collaboration with local municipalities, the Province, the Federal government, and the private sector.

Policy 5.10.13 promotes intensification and mixed land uses in strategic growth areas to support sustainable transportation modes, complete communities, and complete streets. Policy 5.10.14 directs the Region to coordinate transportation and land use planning in order to develop context sensitive solutions to accommodate travel demand for all modes in consultation with the appropriate stakeholders.

Policy 5.10.16 seeks to optimize the use of existing and planned Regional transportation infrastructure, to support growth in a safe and efficient manner, and through compact built form, and encourage the local municipalities to do the same for infrastructure under their jurisdiction. Policy 5.10.28 directs the Region to work with the local municipalities to ensure that development in planned corridors does not preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified. Policy 5.10.29 directs the Region to work with the Province and local municipalities to support long-term economic prosperity by optimizing the long-term availability and use of transportation infrastructure.

With respect to sustainable transportation, Section 5.10.34 outlines Regional objectives, which include:

- supporting and encouraging transit-supportive development densities and patterns, particularly along rapid transit corridors and at designated nodes such as transit terminals, Urban Growth Centres, strategic growth areas, GO rail

stations, Major Transit Station Areas, and transportation hubs, consistent with local official plans and the direction in the latest provincial plans.

- encouraging and supporting the development of a safe, attractive, accessible and integrated network of active transportation facilities that enhance quality of life, and promote the improved health of Peel residents of all ages and abilities

Policy 5.10.34.9 encourages local municipalities to, among other things, promote land uses and site design which foster the safe and efficient use of sustainable transportation modes along local and Regional roads. Policy 5.10.34.22 directs the Region to work with the local municipalities to promote land uses which foster and support the use of active transportation and encourage building and site designs that provide safe, convenient access for public transit users, pedestrians, cyclists and persons with disabilities.

In our opinion, the revised proposal supports the policy objectives of the new ROP by, in particular, supporting intensification and infill within the Urban Boundary, optimizing an intensification opportunity with new purpose-built housing in a compact built form, mitigating impacts between Employment Areas and residential areas, and supporting the use of existing infrastructure.

#### **4. PLANNING AND URBAN DESIGN ANALYSIS**

##### **4.1 Intensification**

As stated in our 2020 Planning Rationale, the proposed addition of two new residential apartment buildings on an underutilized portion of the subject site represents a desirable opportunity to provide a significant number of new rental housing units within an established apartment neighbourhood that has been identified as an appropriate location for intensification and infill development.

Since the initial submission in March 2020, there have been a number of updates to the policy framework that further support intensification on the subject site. The 2020 PPS, Growth Plan Amendment No. 1 and the recently approved ROP promote the optimization of the use of land and infrastructure to minimize land consumption and servicing costs, and support densities and a mix of land uses which efficiently use land.

Ongoing private sector development and investment is essential to meet Growth Plan targets. Without private sector initiative, the Region will fall short. Optimizing all intensification opportunities across the Region (Policy 5.4.18.6) is a key objective of the new ROP, which also encourages local municipalities to identify major intensification opportunities (Policy 5.6.17.10). In our opinion, these policies direct the City to make the most of the redevelopment opportunities that are presented to it.

Specifically, Policy 5.9.17 directs the Region to collaborate with the local municipalities to explore tools and programs “to maximize the opportunity for existing buildings or land ... to improve and retain rental units and support the creation of new rental units” (our emphasis). Given the acknowledged need to create new rental housing stock within the City and the Region, intensification of existing apartment sites is an ideal way to deliver on that objective. This is because the land base already exists, and it is already controlled by a rental housing operator who is interested in making additional investments in their property by constructing and operating new purpose-built rental housing. In our experience, these sorts of opportunities are not widely available across the Region.

In our opinion, the subject site represents an exceptional intensification opportunity. It has been identified as an appropriate location for infill development and intensification through the East Bloor Corridor Study. The proposed height, massing and density is appropriate for the subject site given the existing and planned context of the apartment neighbourhood along Bloor Street. Furthermore, as outlined in the 2020 Planning Rationale and elaborated below, we do not expect any unacceptable built form impacts resulting from the proposed intensification.

With respect to the optimization of land, as noted in our 2020 Planning Rationale, the subject site contains a significant amount of underutilized land that can accommodate new development while maintaining appropriate built form relationships with the existing and adjacent buildings. Only about 9.4 percent of the subject site is currently occupied by the footprints of the two existing apartment buildings and the remaining portions contain mostly passive landscaped open space and surface parking areas. As a result of the proposed development, the lot coverage of new and existing buildings will increase to approximately 20 percent, while also providing new outdoor amenity spaces at grade that will be programmed for use by all residents.

Further, the new ROP requires that 96 percent of new residential development in the City of Mississauga be within the Delineated Built Boundary. As noted in our 2020 Planning Rationale, Mississauga is at the end of its greenfield growth phase and, therefore, new growth will need to be accommodated through redevelopment and intensification within developed areas. In accordance with the policies for development in Neighbourhoods set out in Section 9.1 of the Mississauga Official Plan, the proposed development has been organized to respect the existing and planned character of the area and will support the creation of an efficient, multimodal transportation system that encourages greater utilization of public transit and active transportation modes.

Based on the foregoing, it is our opinion that optimization of density on the subject site would be in keeping with both good planning practice and overarching Provincial,

Regional and City policy direction, subject to achieving appropriate built form relationships and land use compatibility with an adjacent Employment Area.

#### **4.2 Land Use Compatibility and Noise**

Through the development review process, noise and land use compatibility have become the key issue to be resolved prior to the approval of the proposed development.

In October 2022, Bousfields submitted a letter to City of Mississauga Planning staff requesting that an NPC-300 Class 4 Noise Area Classification be applied to a portion of the subject site (the “Bousfields Letter”, which has been included as **Appendix 1** of this Addendum).

The Bousfields Letter provides background information and a chronology of the application with respect to the noise assessments done to date. It details the negotiations that took place between the Owner, Jade Acoustics Inc. (“Jade”), and the industrial equipment supplier located south of the subject site (Wajax). It outlines design revisions that were explored on the subject site, which were concluded to be undesirable and not feasible. It summarizes other projects that have been approved with a Class 4 designation in Mississauga. As well, it provides an analysis and opinion of the request with respect to the NPC-300 Guidelines and the policies of Section 6.10 of the Mississauga Official Plan which outline criteria for the consideration of Class 4 Areas.

It continues to be our opinion that the application of Class 4 sound level limits for the portion of the subject site which contains the proposed redevelopment is appropriate and within the authority of the City of Mississauga in implementing the Provincial NPC-300 noise guidelines and is in conformity with the relevant policies of the Mississauga Official Plan.

The purpose of this section of our Addendum is to supplement the information provided in the Bousfields Letter by providing 1) a summary of the conclusions of the updated Preliminary Noise Report prepared by Jade and included in this resubmission package; 2) a brief description and analysis of the proposed boundary of the Class 4 area; and 3) expand our analysis of the NPC-300 guidelines and how they relate to the PPS.

##### **1. Updated Preliminary Noise Report**

Since submitting the Bousfields Letter, Jade completed its updated Preliminary Environmental Noise Report dated December 14, 2022 (the “December 2022 Noise Report”).



The December 2022 Noise Report concludes that no mitigation measures are required to address road traffic noise, based on the current analysis. Sound level predictions and architectural requirements should be verified when final building plans are available, to ensure applicable guidelines are met.

With respect to stationary noise on the subject site, additional noise analysis will also need to be conducted to determine if the selected mechanical equipment (garage fans, rooftop HVAC units, etc.) associated with the proposed development will require noise mitigation measures.

With respect to stationary noise sources external to the subject site, Jade's updated analysis shows that Class 1 sound level limits will not be met in all cases, without the use of physical mitigation measures at the source. Predicted sound level limits for continuous noise sources are expected to comply with the Class 1 limits, with a minor exceedance of up to 1 dB at the corner of the building where no noise sensitive receptors are located. Predicted sound level limits for impulsive noise sources are expected to exceed the Class 1 limits but comply with the Class 4 limits.

As detailed in the Bousfields Letter and the December 2022 Noise Report, Wajax has indicated that they would not accept at-source mitigation measures on their lands as this would have a negative impact on their operations. Other alternatives to the use of the Class 4 designation were investigated and determined to be not feasible or desirable. Therefore, Jade recommends the Class 4 area designation for a portion of the subject site.

Mandatory central air conditioning would also be required to satisfy the Class 4 requirements, as well as a warning clause notifying purchasers/tenants that the activities and/or equipment associated with the industrial buildings may at times be audible. Additional physical mitigation measures would not be required with the Class 4 designation and associated sound level limits.

A detailed environmental noise report will need to be prepared once detailed site plan, architectural and mechanical drawings for the subject site are available to ensure the appropriate criteria are achieved.

Prior to the issuance of building permits, the acoustical requirements should be reviewed by an acoustical consultant to ensure compliance with the applicable guidelines. Finally, prior to the issuance of occupancy permits, an acoustical consultant shall confirm that the implemented acoustical measures are in compliance with the acoustical report.

## 2. Boundary of Class 4 Area

Figure 2 of the December 2022 Noise Report delineates the boundary between the Class 1 area and the proposed Class 4 Area (see **Figure 4**), and this boundary has also been included in the Site Plan. The boundary line runs generally east-west through the subject site. Moving eastward from the western property boundary, it bisects surface parking and the outdoor amenity area to the south of Building A, and the southern portion of the central amenity plaza. The boundary line jogs northward at the driveway in front of Building C, then continues eastward following the driveway north of Building C to bisect the eastern surface parking area.

In our opinion, this represents an appropriate boundary for the Class 4 designation. The Class 4 designation would apply only to the new buildings and not to the existing buildings. This delineation is required by the NPC-300 guidelines which does not permit the classification of existing noise sensitive land uses as Class 4.

The line bisects the outdoor amenity area in order to provide sufficient amenity area for the existing buildings. The 334 dwelling units within the existing buildings trigger the need for 1,870 square metres of amenity area (based on 334 units x 5.6 square metres per unit required in the Zoning By-law). The boundary line has been drawn to ensure a total of 1,870 square metres of outdoor amenity area will remain as Class 1. The remaining amenity space on the subject site will be redesignated as Class 4. Despite the reclassification, it remains the intention of the Owner to provide all amenity space as shared space.

### 3. Additional Analysis of NPC-300 Guidelines and the PPS

The NPC-300 guidelines were introduced in 2013, replacing previously applicable noise guidelines. One of the substantial changes was the introduction of a Class 4 Area, which is meant to be a tool to allow municipalities to approve a noise sensitive land use with relaxed noise limit levels in an area of existing stationary noise sources to promote intensification.

Section A1 of the NPC-300 guidelines outlines the following purpose (among others):

*“To provide advice, sound level limits and guidance that may be used when land use planning decisions are made under the Planning Act... This guidance is for land use planning authorities, such as municipalities, planning boards and other ministries, developers, and consultants. It is intended to minimize the potential conflict between proposed noise sensitive land uses and sources of noise emissions and is intended to be supportive of the Provincial Policy Statement. Specifically, it may be applied in planning decisions concerning noise sensitive land uses that are proposed adjacent to facilities such as, but not limited to, airports, road and rail transportation corridors, industrial facilities, railway yards,*

*aggregate facilities, major commercial facilities, water and sewage treatment facilities and waste sites. In order to achieve effective and economical planning, the principles described should be implemented in a proactive manner in the earliest stages of the land use planning process.” (Our emphasis.)*

The 2020 PPS includes policies that support efficient development and land use patterns, support the optimization of land and infrastructure, and that seek to permit and facilitate housing options and all types of residential intensification. In our opinion, the proposed development achieves those goals.

The 2020 PPS also provides policies that seek to protect the long-term viability of industrial uses that are vulnerable to encroachment by adjacent sensitive land uses. In our opinion, the proposed development is consistent with the criteria listed in Policy 1.2.6.2, as discussed below:

*a) There is an identified need for the proposed use*

As noted in our 2020 Planning Rationale and in Section 4.1 of this addendum, there is strong policy support for the proposed development. Intensification within the existing Urban Area in Mississauga supports the achievement of Growth Plan targets, makes more efficient use of land and infrastructure, and optimizes an intensification opportunity. The ROP has established housing targets of 50 percent of new housing units in a form other than detached and semi-detached houses, and 25 percent of new housing units as rental housing units. The proposed development will be purpose-built rental in a compact form, supporting the achievement of these goals.

*b) Alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations*

The subject site is already designated and zoned for high-rise apartment uses, and the proposed development conforms with the uses permitted in both the Official Plan and Zoning By-law.

The front portion of the subject site is currently developed with two 14-storey rental apartment buildings. On the subject site, the proposed buildings have been located in an optimal and sensible location to allow for adequate separation from the existing buildings. Further, the subject site was identified in the East Bloor Corridor Study as an appropriate location for intensification.

As noted above, opportunities for new rental residential units are generally limited. Locations such as the subject site, which have existing apartment buildings owned by a rental housing operator as well as surplus lands, are ideal locations for accommodating new rental housing opportunities. These types of opportunities do not

exist everywhere within the City and Region, and it is important to take advantage of opportunities where they exist.

*c) Adverse effects to the proposed sensitive land use are minimized and mitigated*

In our opinion, the adverse effects to the proposed sensitive land uses will be minimized and mitigated through the reclassification of a portion of the subject site as a Class 4 Area. As outlined in the December 2022 Noise Report, the Class 4 redesignation will trigger certain mitigation measures, such as the need for central air conditioning and warning clauses for purchasers/tenants.

As outlined in the Bousfields Letter, the NPC-300 guidelines do not permit the reclassification of existing sensitive land uses. It is our opinion that this restriction is intended to avoid the reclassification of existing land uses to allow for greater impacts from adjacent industries. In other words, this restriction is intended to ensure that existing residents can continue to expect the same noise level limits (i.e. the Class 1 limits) that currently apply. We note that the existing buildings on the subject site will continue to be subject to Class 1 noise level limits, notwithstanding the noise level limits applied to the new buildings.

The NPC-300 guidelines introduced the Class 4 designation to permit relaxed noise limits for new sensitive land uses, and to provide guidance for evaluating these development applications. Similar to residents in a Class 1 area, residents of Class 4 areas can expect noise within the same noise level limits to continue, albeit at a higher level than Class 1. As noted in the Bousfields Letter, it has been consistently demonstrated and recommended by multiple acoustical engineers that the proposal represents the exact scenario for which the Class 4 Area classification was introduced by the MOECP.

*d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated*

As noted in the Bousfields Letter, Wajax has indicated that at-source noise mitigation, which is the ideal noise attenuation method, would have significant and detrimental impacts on their business. They have also indicated a willingness to support the use of Class 4 noise level limits for the proposed development.

We further emphasize that the purpose of the Class 4 designation is to minimize and mitigate impacts on industrial and manufacturing uses to protect their long-term viability by permitting sensitive land uses with a more relaxed noise level limit. In our opinion, potential impacts to the adjacent Employment Area will be minimized and mitigated through the reclassification of a portion of the subject site as a Class 4 Area.

### **4.3 Housing**

The proposed development is supportive of Provincial, Regional and municipal policies that encourage a range and mix of housing options to meet demand, in particular the housing targets established in the new ROP.

To this end, the proposed development supports the development of complete communities and adds a significant number of new rental units on the subject site in a compact form. The proposed development will help achieve the Regional goals of constructing 25% of all new housing units as rental housing, and 50% of all new housing units in a form other than detached and semi-detached houses.

### **4.4 Built Form Impacts**

With respect to built form impacts, there have not been any substantial changes to the proposed building envelope, and the conclusions and opinions stated in our 2020 Planning Rationale continue to apply.

With respect to shadows, an updated Shadow Study has been prepared by IBI and submitted as part of this resubmission package to address comments from the City. Additional information has been provided in the Shadow Study with respect to amenity areas on the subject site and on the adjacent apartment site to the east (1900 Bloor Street). The shadow study concludes that the criterion that seeks to limit shadowing on communal outdoor amenity areas on nearby properties will be met.

On the subject site, when measured together, the outdoor amenity areas do not meet the Sun Access Factor of 50% on December 21st (the Sun Access Factor will be 38%). To address this, an additional at-grade outdoor amenity space has been provided south of Building A, which is 438 square metres in size. This area exceeds the requirements of Zoning By-law Provision 15.6, which requires a minimum of 55 square metres of outdoor space at grade. This additional amenity area has a Sun Access Factor of 89% on December 21st. In our opinion, the criterion has been met for the required at-grade outdoor amenity area.

With respect to wind, an updated Wind Study has been submitted as part of this resubmission. The Pedestrian Wind Study was prepared by RWDI and concludes that wind speeds that meet the safety criterion are predicted at all locations for all configurations assessed. Please refer to the Response to Comment Matrix and the Pedestrian Wind Study for more details.

### **4.5 Urban Design**

With respect to urban design, there have been minor changes to the site layout in response to City comments (please see the Response to Comments Matrix). The conclusions and opinions stated in our 2020 Planning Rationale continue to apply.

The proposed plan for garbage collection from the existing buildings has been updated. Garbage from Building A and Building B will be stored within the existing buildings, and moved over to the new garbage storage areas for collection within the building. This will limit noise and odour and improve the interior condition of the subject site. Loading spaces for the existing buildings will be retained for move-in and move-out purposes.

Additionally, the revised site design includes improved pedestrian connections to the public sidewalk and nearby transit stops, supporting transit ridership and improving site circulation as a whole. A path connection to the Hydro Corridor is also proposed.

The design of the surface parking areas has also been revised to include more planting and to limit dead-end drive aisles.

In our opinion, these changes will improve site circulation and connectivity to the public realm, provide improved noise and odour control on the subject site, and support an attractive and functional overall site design.

## **5. CONCLUSIONS**

The findings set out in our 2020 Planning Rationale report are still relevant and applicable to the revised design, and as a result, it is our opinion that the proposed development is appropriate and desirable.

The conclusions of the Bousfields Letter continue to apply, and it continues to be our opinion that the application of Class 4 sound level limits for the portion of the subject site which contains the proposed development is appropriate and within the authority of the City of Mississauga in implementing the Provincial NPC-300 noise guidelines, is in conformity with the relevant policies of the Mississauga Official Plan and is consistent with the land use compatibility policies of the 2020 PPS.

It is our opinion that the proposed Official Plan Amendment and Zoning By-law Amendment applications are consistent with the 2020 PPS, conform with the Growth Plan, represent good planning, and should be approved.

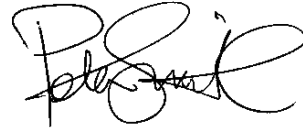
We trust that the foregoing is satisfactory. However, if you have any questions or require additional information, please do not hesitate to contact Anna Wynveen or Peter Smith of our office.

Yours very truly,

**Bousfields Inc.**



Anna Wynveen, MCIP, RPP



Peter F. Smith, MCIP, RPP

*AW/jobs*



Figure 1 – Schedule E-1 – Regional Structure (April 2022 Council Approval)

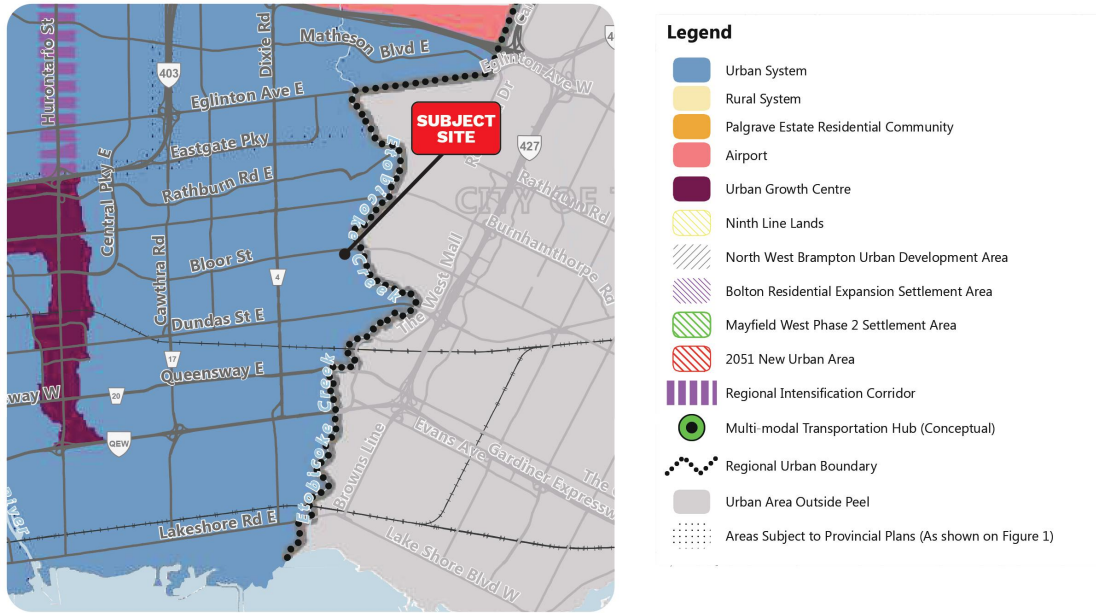
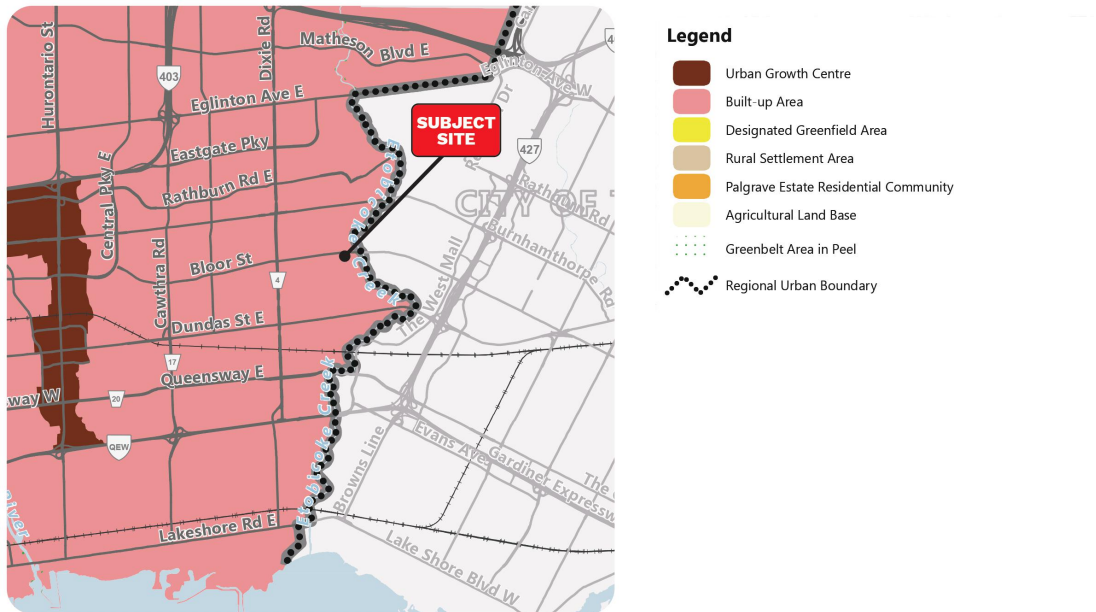
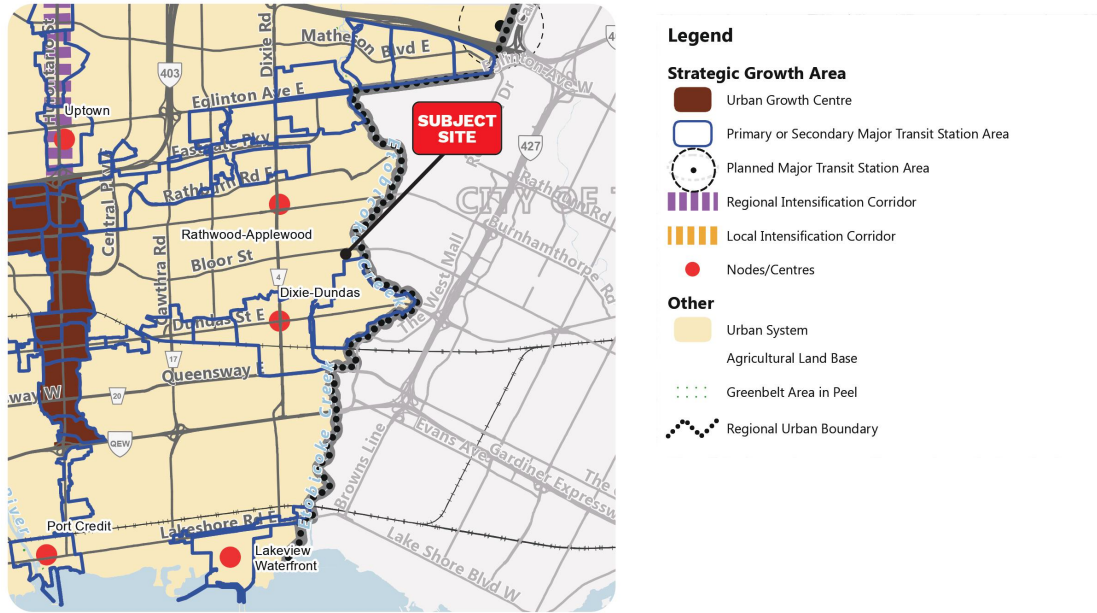


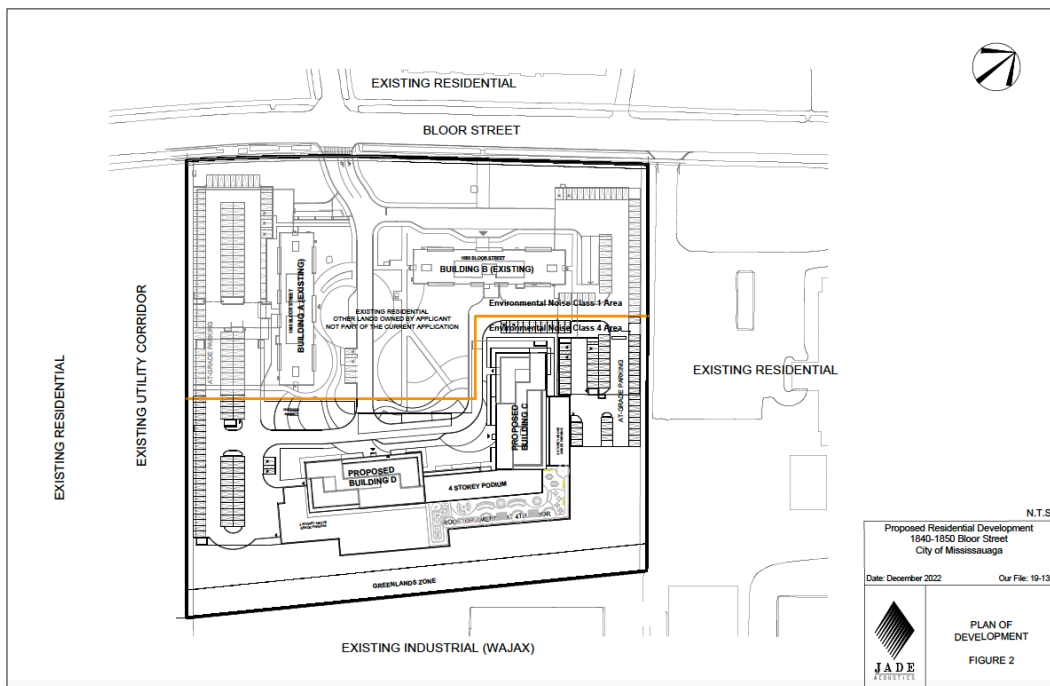
Figure 2 – Schedule E-3 – The Growth Plan Policy Areas in Peel (April 2022 Council Approval)



*Figure 3 – Schedule E-2 – Strategic Growth Areas 9 (April 2022 Council Approval)*



*Figure 4 – December 2022 Noise Report prepared by Jade Acoustics Inc., Figure 2*



**Appendix A - Noise Letter**

October 4, 2022

City of Mississauga, Planning and Building Department  
Development & Design Division  
300 City Centre Drive  
Mississauga, ON L5B 3C1

Attn: Tori Stockwell, Planner, Development Central

Dear: Ms. Stockwell

**Re:     1840-1850 Bloor Street, Mississauga**  
**Official Plan and Zoning By-law Amendment Application OZ/OPA 20-003**  
**W3**  
**Request for NPC-300 Class 4 Noise Area Classification**

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As you are aware, we are the planning consultants to Rane Management (on behalf of the registered owner 1840-1850 Bloor East Ltd.) with respect to the Official Plan and Zoning By-law Amendment Application for the property located at 1840-1850 Bloor Street (the "subject site"). The Official Plan and Zoning By-law Amendment application for the subject site (the "application") seeks to permit the infill development of two new 18-storey rental residential buildings connected by a 4-storey podium element to the rear (south) of the two 14-storey rental apartment buildings that currently exist on the subject site.

### **Background to Request for Class 4 Noise Area Classification**

As part of the initial submission package in support of the application, which was filed on March 13, 2020, Jade Acoustics Inc. prepared a Preliminary Environmental Noise Report dated March 11, 2020 (the "March 2020 Noise Report"). The purpose of this report was to evaluate transportation and stationary noise sources near the subject site for conformity with the environmental noise guidelines NPC-300 set out by the provincial Ministry of the Environment, Conservation and Parks (the "MOECP").

The March 2020 Noise Report found that no mitigation measures within the proposed development were required to address road traffic noise beyond standard STC rated window, exterior door and exterior wall construction. With respect to stationary noise sources, the March 2020 Noise Report identified the adjacent industrial business (an industrial equipment supplier known as Wajax) located at 3280 Wharton Way and

1865 Sharlyn Road as having potentially significant noise sources, including rooftop HVAC units, exhaust fans and loading/unloading among others. It was determined that the relevant Class 1 sound level limits for the proposed development would be exceeded in some façade locations due to this adjacent stationary noise source. As a result, the March 2020 Noise Report recommended either physical at-source mitigation measures to address these noise sources or the reclassification of the subject site to Class 4 sound level limits which would be met without the need for additional mitigation measures. It was noted that reclassification to Class 4 sound level limits would require approval by the City of Mississauga as set out in the Province's NPC-300 environmental noise guidelines.

In response to the findings of the March 2020 Noise Report, we received comments from Transportation and Works – Development Engineering Review, which indicated the requirement for an updated Noise Study which includes the following, among other elements:

- *“Eliminate from the report all references to Class 4 designation. Class 4 designation will not be permitted. The proposed development is to comply with Class 1 criteria”*; and
- *“The report is to further explore mitigation options for the stationary noise from the adjacent industrial facility. Currently, 5-metre high noise walls are proposed at the adjacent industrial facility, however there is no confirmation that Wajax is willing to have those noise walls constructed on their site. A formal private agreement will be required between the owner and Wajax for the construction of any required noise mitigation at the source. The applicant will be responsible for all costs related to noise control measures as well as obtaining any MOE approval as required. Further, the applicant is responsible for any discussions to achieve an agreement between the developer and Wajax.”*

Following the receipt of these comments, Rane Management and their consultant team engaged in initial discussions with Wajax staff and their representatives from December 2020 through February 2021 in an effort to further an agreement regarding the construction of at-source mitigation measures on the Wajax property. As outlined in the March 2020 Noise Report, these measures would include a 5.0 metre high wing wall at the northwest side of each loading bay, with a length at least great enough to fully shield idling trucks. Subsequent to these discussions, Jade Acoustics Inc. received a letter dated April 6, 2021 from Wajax's representatives indicating that Wajax does not support or endorse any mitigation measures or wing walls of the nature proposed, to be located or constructed on their property in whole or in part.

On May 26, 2021, we met with City staff along with Jade Acoustics Inc. and representatives of Rane Management in order to provide an update on the application and to discuss the two options outlined in the March 2020 Noise Report in light of the April 2021 letter from Wajax. At this meeting, City staff identified policies within the City of Mississauga Official Plan regarding the use of the Class 4 area classification and, in accordance with these policies, requested that the design team explore built form revisions, among other measures of noise attenuation, to avoid the need for either mitigation at-source at the Wajax facility or the reclassification of the subject site.

A follow-up meeting with City staff was held on September 9, 2021. At this meeting, we presented analysis on built form and design changes which demonstrated that, in order to functionally meet the Class 1 sound level limits, an inefficient built form with negative urban design and quality of life implications would be necessary. Additional details on this analysis are presented in a subsequent section of this letter. While City staff indicated their continued preference for maintaining the Class 1 designation for the subject site, they requested that additional justification for a potential Class 4 designation be prepared and included in a resubmission of materials in support of the application.

The project team initiated work on a resubmission of materials in response to both the direction from City staff on the ongoing noise issue and other comments received on the initial application submission. However, filing of this resubmission was held pending further conversations with Wajax and Gradient Wind, their acoustical consultant, and a further meeting with City staff on January 11, 2022. The result of the ongoing communication between Jade Acoustics Inc. and Gradient Wind was the preparation of a peer review of the March 2020 Noise Report. This peer review recommended revised modelling and a new assessment of the Wajax stationary noise sources on the proposed development. This work was subsequently undertaken by Jade Acoustics Inc. and the results are discussed in the following section of this letter.

### **Site Visit & Updated Noise Modelling**

In the spring of 2022, new sound level measurements were undertaken, providing the necessary information for the noise model to be updated. Upon processing this data and updating the noise model, Jade Acoustics Inc. was able to determine that:

- Class 1 sound level limits are predicted to be met at the proposed development with respect to continuous stationary noise sources without physical mitigation measures; and

- Class 1 sound level limits are predicted to be exceeded at the proposed development with respect to impulsive stationary noise sources without the addition of physical mitigation measures.

While the outcome of this additional work indicates improved compliance with the Class 1 sound level limits of the NPC-300 noise guidelines as compared to the findings of the March 2020 Noise Report, there remains a requirement for physical mitigation measures at-source in order to achieve full compliance with these limits. Alternatively, the updated modelling indicates that Class 4 sound level limits for impulsive stationary noise sources could be met without the need for physical mitigation.

As Wajax has maintained their position against the installation of physical acoustical mitigation measures on their site in order to protect for current and future operational requirements, it is our opinion that the only available option to allow the proposed infill intensification of the subject site to proceed is the reclassification of the property to allow for the application of Class 4 sound level limits.

#### **Class 4 Designations in Mississauga**

It is our understanding that, while City staff prefer to avoid the use of Class 4 designations, this approach has been applied elsewhere in the City of Mississauga. Below is a brief summary of the locations where this approach has been supported by staff and/or City Council in the past.

##### *142 to 148 Queen Street South*

A Site Plan Approval application (file no. SP 13/026 W11) for the property located at 142 to 148 Queen Street South sought to permit the development of a 3-storey mixed-use building. Due to an existing rooftop mechanical unit on the adjacent retail plaza, the proponents of this development requested the use of Class 4 sound level limits. As indicated in a Corporate Report from the Commissioner of Planning and Building to the Planning and Development Committee dated March 1, 2016, this request was received at the same time City staff were reviewing the NPC-300 guidelines and exploring the use of Class 4 in Mississauga more generally.

As indicated in this report, City staff were supportive of the use of Class 4 for this development stating:

*“Staff have reviewed on-site and at-source mitigation options and concluded that these were not acceptable or desirable. In this instance, a Class 4*



*classification would be appropriate as the proposed development is consistent with [the Mississauga Official Plan].”*

It is noted that the property at 142 to 148 Queen Street South is located within a “Community Node” Intensification Area pursuant to Schedule 2 of the Mississauga Official Plan.

*6616 McLaughlin Road*

Official Plan Amendment, Rezoning (File No. OZ 20-14) and Draft Plan of Subdivision (File No. T-M20003) applications were submitted for the property located at 6616 McLaughlin Road in order to permit the development of a 6-storey apartment building and five detached homes. While the applications were appealed to the Ontario Land Tribunal on the basis of a non-decision within the statutory timeframe, a Recommendation Report from the Commissioner of Planning and Building dated February 11, 2022 recommended staff attend the OLT in support of the proposal, as amended, subject to certain conditions. This report also recommended that City Council classify the property as a “Class 4 Area”, stating:

*“The proposed development has been reviewed against [the Official Plan Section 6.10] policies and the proposed Class 4 area is acceptable to allow this property to be developed. The proposal represents an extension of the existing residential neighbourhood. No new noise sources are being introduced, and warning clauses will be required in all offers to purchase and sale. All required noise mitigation measures will be implemented through the site plan application process.”*

It is noted that the property at 6616 McLaughlin Road is not located within an Intensification Area pursuant to Schedule 2 of the Mississauga Official Plan.

*1082 Lakeshore Road East and 800 Hydro Road (Lakeview Village)*

Official Plan Amendment, Rezoning (File Nos. OZ 19/003 and OZ 19/021) and Draft Plan of Subdivision (File No. T-M19001) applications were submitted for the property located at 1082 Lakeshore Road East and 800 Hydro Road in order to permit the comprehensive redevelopment of a 71.6 hectare former power generation station into a mixed-use community comprised of up to 8,050 residential dwellings, among other land uses. Approval of the applications was recommended in a Recommendation Report from the Commissioner of Planning and Building dated October 15, 2021, including the classification of a portion of the lands as a Class 4 Area. In particular, the report states that:



*“A portion of the site is proposed to be classified as Class 4 under the Ministry of Environment Conservation and Parks NPC-300 Noise Guidelines. A Class 4 Area classification would allow for land use compatibility between the new community and the existing commercial/industrial uses in the area. Utilizing a Class 4 Area classification to develop new sensitive land uses (i.e. residential and school) where there are existing stationary noise sources is desirable as mitigation to meet Class 1 sound level limits in this instance would not be practical or feasible at this time. The remainder of the development will adhere to usual Class 1 or 2 guidelines, as applicable.”*

It is noted that the property at 1082 Lakeshore Road East and 800 Hydro Road is located within a “Major Node” Intensification Area pursuant to Schedule 2 of the Mississauga Official Plan.

### **Analysis & Opinion**

In evaluating the request for a Class 4 Area classification for the subject site, it is our opinion that there are two key elements to be addressed: first, we must evaluate the proposal in light of the Provincial guidelines; and second, we must consider the in-force policies of Section 6.10 of the Mississauga Official Plan which outline criteria for the consideration of Class 4 Areas.

#### *Provincial Environmental Noise Guideline – NPC-300*

The MOECP Environmental Noise Guideline - Stationary and Transportation Sources - Approval and Planning (NPC-300) was published in August 2013 as a consolidation and update to previous guidelines. Among other elements, one of the key changes introduced through NPC-300 was the introduction of a new Class 4 Area classification. As defined in NPC-300 “Class 4 Area” means:

*“an area or specific site that would otherwise be defined as Class 1 or 2 and which:*

- *is an area intended for development with new noise sensitive land use(s) that are not yet built;*
- *is in proximity to existing, lawfully established stationary source(s); and*
- *has formal confirmation from the land use planning authority with the Class 4 area classification which is determined during the land use planning process.*

*Additionally, areas with existing noise sensitive land use(s) cannot be classified as Class 4 areas.”*

As set out in Section B.9.3 of the NPC-300 guidelines, an existing noise sensitive land use that is classified as a Class 1 or Class 2 area can only be classified as a Class 4 area when the land use is replaced, redeveloped or rebuilt with new noise sensitive land uses. In considering the intent of this section of the guidelines, it is our opinion that this restriction is intended to avoid the reclassification of existing land uses to allow for greater impacts from adjacent industries. It is not necessarily the area in which those land uses are located that is paramount, but rather the continuation of such sensitive land uses in the face of increased noise level permissions.

In this respect, the approval of a Class 4 area for 6616 McLaughlin Road, as detailed previously, is an example of a new sensitive land use being introduced in an area that contains a number of other sensitive land uses (residential single detached dwellings) that are not being removed or redeveloped. As supported by City staff and endorsed by City Council, the introduction of a mid-rise residential building on the property at 6616 McLaughlin Road, and the application of Class 4 noise level limits to this building, does not impact the acceptable noise level limits for the adjacent continuing residential dwellings, many of which are located in much closer proximity to nearby industrial operations than the new building.

On this basis, it is our opinion that a reasonable interpretation of the NPC-300 guidelines would allow for the application of Class 4 noise level limits to new sensitive land uses in an area with, or on the same site as, existing sensitive land uses, as long as Class 1 or 2 (as applicable) noise level limits continue to apply to the existing sensitive land uses. In the case of the subject site, while Class 4 limits are required to facilitate the development of the proposed new buildings, the application of Class 4 limits to the new buildings will not result in higher noise level limits being considered acceptable for the existing buildings on the same property. In this respect, the existing buildings will continue to subject to Class 1 noise level limits, notwithstanding the noise level limits applied to the new buildings. Contrary to the McLaughlin Road example, on the subject site the proposed new buildings will be located closer to the adjacent industrial operation than the existing buildings and will facilitate some passive acoustical shielding between the industrial use and the existing buildings.

Furthermore, we have noted that NPC-300 guidelines do not require the classification of a Class 4 Area to follow existing parcels or property boundaries. Therefore, it is at the discretion of the land use planning authority to consider the classification of a portion of a property as a Class 4 Area while allowing the remainder to continue to be

considered a Class 1 or 2 Area. Within Mississauga, this practice has already been demonstrated through the approval of a Class 4 Area for a limited portion of the property at 1082 Lakeshore Road East and 800 Hydro Road, as described previously.

Finally, it is noted that further work will be required to determine the exact delineation between the proposed Class 4 Area on the southerly portion of the subject site and the area to remain as Class 1. This is due to the definitions of “noise sensitive land use” and “noise sensitive space” in NPC-300 which includes common outdoor living areas associated with high-rise multi-unit buildings. Such delineation will ensure that all of the existing noise sensitive spaces to be retained on the subject site area will be maintained as Class 1 and that only those portions of the subject site that are beyond this area and are subject to redevelopment will be considered a Class 4 Area.

*Mississauga Official Plan – Section 6.10*

On December 14, 2016, Council for the City of Mississauga approved Mississauga Official Plan Amendment No. 58 with the purpose of adding and amending policies to the Official Plan for consistency with current noise and railway proximity guidelines. As it relates to the use of the Class 4 Area classification, the Official Plan policies were revised to read as follows:

*Policy 6.10.1.6 The use of the Class 4 area classification, as specified in the applicable Provincial Government environmental noise guideline, is at the City’s discretion. The introduction of a Class 4 area will require Council approval.*

- a. *The use of Class 4 will only be considered where it can be demonstrated that:*
- *the development proposal is for a new noise sensitive land use in proximity to an existing, lawfully established stationary noise source;*
  - *the development proposal for a new noise sensitive use does not impair the long term viability and operation of an employment use;*
  - *it is in the strategic interest of the City, furthers the objectives of Mississauga Official Plan and supports community building goals; and;*
  - *all possible measures of noise attenuation have been assessed for both the proposed development site and the stationary noise source, including, but not limited to, building design and siting options for the proposed new noise sensitive use;*

- b. *Notwithstanding the above conditions, the use of Class 4 will receive more favourable consideration if the stationary noise source is a temporary situation and it is expected that the stationary noise source will be removed through future redevelopment; and*
- c. *Mississauga will require that prospective purchasers be notified that the building is located in a Class 4 area and informed of any agreements as may be required for noise mitigation. A noise warning clause shall be included in agreements that are registered on title, including condominium disclosure statements and declarations.*

With respect to the criteria set out in Part A of Policy 6.10.1.6 set out above, it is our opinion that conformity with these criteria has been demonstrated for the proposed development through the March 2020 Noise Report, the ongoing communication and collaboration with the adjacent industrial landowner (Wajax), the various meetings and materials presented to City staff and the contents of this report. For clarity, conformity with each of these criteria is addressed in greater detail below:

**1. *The development proposal is for a new noise sensitive land use in proximity to an existing, lawfully established stationary noise source:***

The proposal is for the development of a two new 18-storey rental residential buildings connected by a 4-storey podium element. The proposed buildings are located to the south of two existing 14-storey rental apartment buildings on the subject site and to the north of two properties (3280 Wharton Way and 1865 Sharlyn Road) which are currently being operated by an industrial equipment supplier known as Wajax. Both the existing residential uses on the subject site and employment uses to the south are lawfully existing uses that conform to the applicable land use designations set out on Schedule 10 of the Mississauga Official Plan (Residential High Density and Business Employment, respectively).

As set out in the March 2020 Noise Report and in the summary of the updated noise modelling provided in this letter, the adjacent Wajax operation represents the primary stationary noise source for the proposed new buildings. Noise sources associated with Wajax include rooftop HVAC units, rooftop exhaust fans, machinery repair operations, non-refrigerated tractor trailer maneuvering and idling, and loading/unloading and associated impulses. As noted, the latest noise modelling for these noise sources demonstrates that Class 1 sound level limits are exceeded for the proposed development only by impulsive stationary noise sources from Wajax.

**2. *The development proposal for a new noise sensitive use does not impair the long term viability and operation of an employment use:***

In our opinion, the reclassification of a portion of the subject site as a Class 4 Area would serve to ensure that the proposed buildings do not impair the long term viability and operation of the adjacent employment use at Wajax, which is consistent with the intended use of this classification under the NPC-300 guidelines.

Furthermore, it is noted that a separation distance of 19.6 metres will be achieved between the podium structure of the new buildings and the adjacent employment zone. As this podium is primarily occupied by a parking garage along the south façade opposite the Wajax facilities, the actual separation distance between a residential unit and the employment zone is 39.5 metres. This separation distance is only slightly less than the distance between the employment zone and the south façade of the existing residential apartment building to the east of the subject site at 1900 Bloor Street (approximately 45 metres). Therefore, the siting and location of the proposed towers is appropriate in terms of built form relationships and compatibility and only requires the use of Class 4 sound level limits to address limited noise impacts resulting from the specific employment operation to the immediate south of the subject site.

Importantly, Wajax has indicated a willingness to support the use of Class 4 noise level limits for the proposed development as it would allow the development to proceed, while allowing for its continued operation.

**3. *It is in the strategic interest of the City, furthers the objectives of Mississauga Official Plan and supports community building goals:***

As outlined in our Planning and Urban Design Rationale dated March 2020 and submitted in support of the application, it is our opinion that the proposed development will support the achievement of numerous provincial and municipal policy objectives that promote intensification and a range of housing within built-up urban areas, particularly in locations well served by municipal infrastructure, including frequent transit service. The proposal will contribute to the diversification of housing options within Mississauga and will make efficient use of underutilized land in a location that will have limited built form impacts onto surrounding existing land uses.

In this respect, the subject site was identified as a potential infill area through the East Bloor Corridor Review, the recommendations of which were adopted in April 2013. This review identified opportunities for infill apartment buildings in locations with a

specific built form context, including sites surrounding by other apartment buildings and employment areas. Approval of the use of Class 4 sound level limits for the proposed development would allow the proposal to proceed, resulting in the form and scale of development envisioned and encouraged by the East Bloor Corridor Review, among other local and provincial targets for growth and intensification.

**4. *All possible measures of noise attenuation have been assessed for both the proposed development site and the stationary noise source, including, but not limited to, building design and siting options for the proposed new noise sensitive use:***

As outlined in the preceding sections of this letter, significant time and resources have been expended by Rane Management to explore all possible measures of noise attenuation for the proposed development including meetings with the owner of the adjacent stationary noise source, meetings with City staff, the exploration of revised building design and siting options and the completion of updated sound measurements and noise modelling for the proposed development. Through all these efforts, it has been consistently demonstrated and recommended by multiple acoustical engineers that the proposal represents the exact scenario for which the Class 4 Area classification was introduced by the MOECP.

With respect to at-source noise mitigation, which is the ideal noise attenuation method, Wajax has indicated that the necessary wing walls adjacent to the loading spaces, which represent the most significant noise source of their operation, would have significant and detrimental impacts on their business. In this respect, as noted above, Wajax has indicated a willingness to support the use of Class 4 noise level limits for the proposed development.

In terms of building design and siting options, a revised concept plan for the subject site was developed at the request of City staff. This plan sought to understand the implications of providing a single-loaded corridor design for the noise receptor locations most impacted by Wajax. Two options were developed: the first applied the single-loaded corridor design to the westerly tower of the existing proposal; and the second looked to re-distribute some of the units lost in the first option through the extension of the single-loaded tower floor plate. Both options are attached hereto as **Appendix A**.

In brief, it is our opinion that the single-loaded corridor design options for the subject site are inappropriate from an urban design perspective due to the need for large blank facades in both options and the increase in shadow impacts from Option 2. In addition,

the resulting form of development would be financially unfeasible, would fail to optimize the use of the subject site and would result in dwelling units with limited access to sunlight, impacting the quality of life for future residents. Alternative locations and siting for the proposed towers were explored but ultimately dismissed due to the location of the existing buildings on the site and the need to provide for appropriate separation distance between buildings. Similarly, while other mitigation measures on the subject site were explored, including a sound barrier, these were found to be structurally unfeasible or to have significant negative visual impacts due to the height required.

### **Conclusion**

As outlined in this letter, it is our opinion that the application of Class 4 sound level limits for the portion of the subject site which contains the proposed development is appropriate and within the authority of the City of Mississauga in implementing the Provincial NPC-300 noise guidelines and is in conformity with the relevant policies of the Mississauga Official Plan.

We respectfully request that you consider the information provided herein in evaluating the request for a Class 4 Area on a portion of the subject site. Should you have any questions regarding the contents of this letter, please do not hesitate to contact the undersigned or Anna Wynveen of our office.

Yours very truly,

**Bousfields Inc.**



Peter Smith, MCIP, RPP

PFS/acc

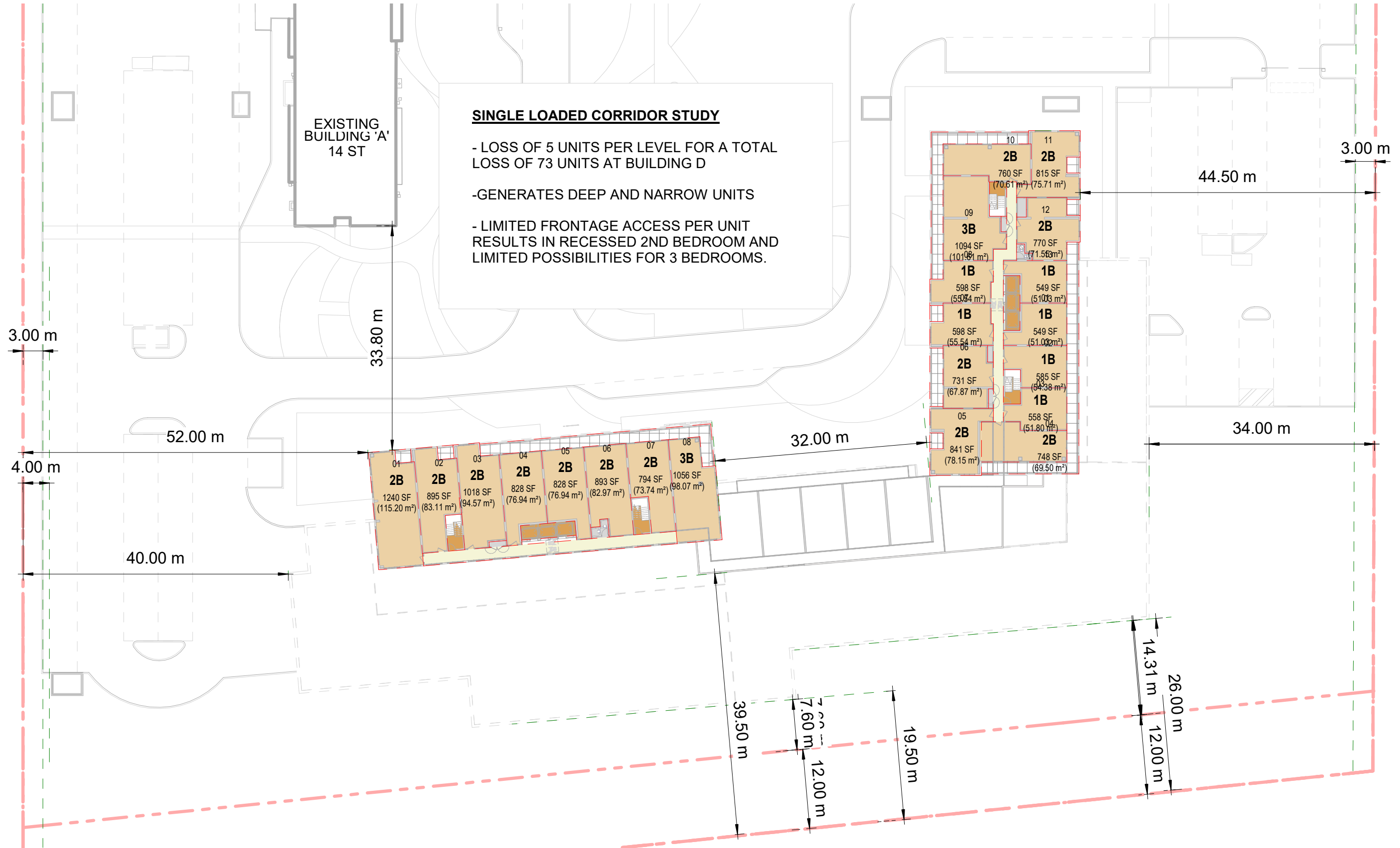
cc: Ashley Galego, City of Mississauga Development Application Coordinator  
Ilana Glickman, Rane Management  
Chris Kellar & Michael Bechbache, Jade Acoustics



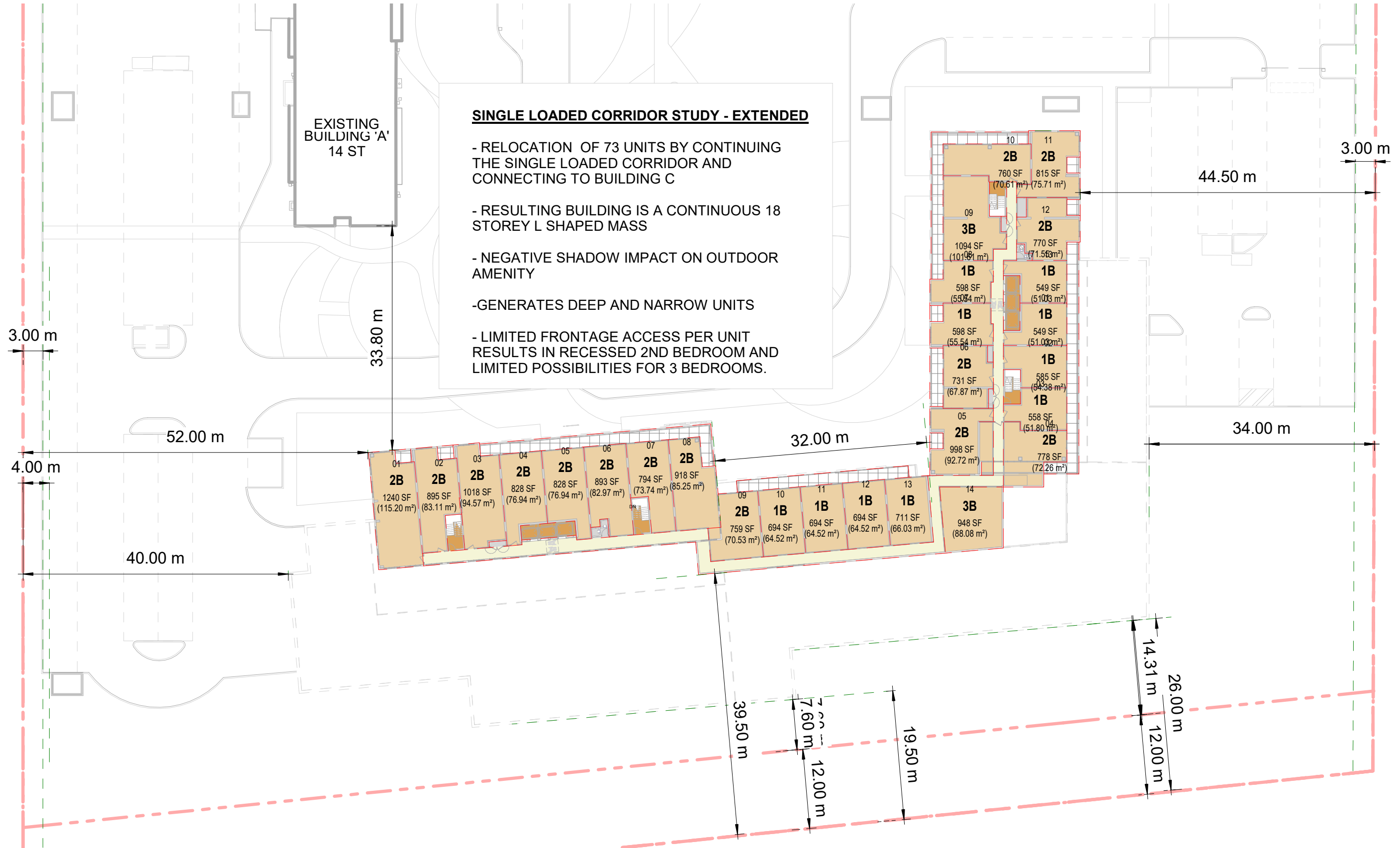
## **APPENDIX A:**

### ***Alternative Site Development Concept Options***

# Option 1



# Option 2



## SINGLE LOADED CORRIDOR STUDY - EXTENDED

- RELOCATION OF 73 UNITS BY CONTINUING THE SINGLE LOADED CORRIDOR AND CONNECTING TO BUILDING C
- RESULTING BUILDING IS A CONTINUOUS 18 STOREY L SHAPED MASS
- NEGATIVE SHADOW IMPACT ON OUTDOOR AMENITY
- GENERATES DEEP AND NARROW UNITS
- LIMITED FRONTAGE ACCESS PER UNIT RESULTS IN RECESSED 2ND BEDROOM AND LIMITED POSSIBILITIES FOR 3 BEDROOMS.

EXISTING BUILDING 'A' 14 ST

Unit No.	Type	SF	m <sup>2</sup>
01	2B	1240	115.20
02	2B	895	83.11
03	2B	1018	94.57
04	2B	828	76.94
05	2B	828	76.94
06	2B	893	82.97
07	2B	794	73.74
08	2B	918	85.25

Unit No.	Type	SF	m <sup>2</sup>
09	2B	759	70.53
10	1B	694	64.52
11	1B	694	64.52
12	1B	694	64.52
13	1B	711	66.03
14	3B	948	88.08

Unit No.	Type	SF	m <sup>2</sup>
10	2B	760	70.61
11	2B	815	75.71
12	2B	770	71.58
09	3B	1094	101.01
1B	1B	598	55.34
1B	1B	598	55.34
2B	2B	731	67.87
05	2B	998	92.72
1B	1B	585	54.38
1B	1B	558	51.80
2B	2B	778	72.26