

## **Attachment-11 Staff Review and Planning Analysis**

### **Provincial Policy Statement, 2020**

The Provincial Policy Statement, 2020, came into effect on May 1, 2020. The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development. Part IV: Vision for Ontario's Land Use Planning System, includes that "Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities."

Most relevant to this application, Policy Section 1.0 – Building Strong Healthy Communities speaks to efficient land use and development patterns that support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Policy 1.1.1 of the PPS promotes creating and sustaining healthy, liveable and safe communities. This is achieved in part by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term, and also by accommodating an appropriate affordable and market-based range and mix of residential types (1.1.1 a), b)). The proposed development includes a mix of 1, 2, and 3-bedroom units in addition to future stacked townhouse units to provide a mix of residential types.

Policy 1.1.1. d) speaks to avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas. The proposed development is located within the City's Urban Growth Centre on lands that have been designated to accommodate growth and intensification in the form of employment and residential land uses.

Policy 1.1.1. e) speaks to achieving cost-effective land development patterns through promoting of transit supportive development, intensification, and infrastructure planning. The development is an intensification over the previous use (municipal parking lot), and proposes a transit supportive density in proximity to the City's downtown transit station while utilising existing infrastructure and nearby services.

Policy 1.1.1 g) speaks to ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs. The proposed development utilizes existing infrastructure and is within the downtown, close to existing commercial and community services and beside the future public library.

Policy 1.1.3.4 speaks to promoting development that facilitates intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety. The proposal is a redevelopment of the prior municipal parking lot and will intensify the property by introducing new residential and commercial land uses.

Policy 1.1.3.6 speaks to the location of new development, where new development should occur in designated growth areas and have a compact form, mix of uses, and densities for the efficient use of land. The development is within the City's Urban Growth Centre and comprises of a mixed use development featuring residential and commercial uses in a compact form and transit supportive density. The development proposes ground floor commercial below two multi-residential towers.

Section 1.4 outlines the policies pertaining to housing and speaks to providing for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area. The subject lands are designated as part of the City's Urban Growth Centre, which is intended to be a focal area for investment in employment, commercial, recreational, cultural, entertainment

and institutional uses while attracting a significant share of the city's residential growth. The proposal will provide a mix of housing options that will diversify the housing options within the Urban Growth Centre.

Policy Section 1.5.1 states that healthy, active communities should be promoted by providing built and natural settings for recreation, such as public spaces, open space areas, facilities, and parkland. The proposed development will include two new publicly accessible squares to serve the downtown area.

Policy 1.6.7.4 promotes land use patterns that support current and future use of transit and active transportation. The proposed development is within walking distance to the transit station and supports active transportation through the inclusion of long and short-term bicycle parking and proximity to nearby services.

Policy 4.7 of the PPS directs that a City's Official Plan is the most important vehicle for implementation of the PPS. A more detailed review on how the proposal is consistent with the above PPS policies, as well as policies in the City's Official Plan will be outlined later in this analysis. The proposed development is consistent with the Provincial Policy Statement.

### **Provincial Growth Plan for the Greater Golden Horseshoe (A Place to Grow)**

Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe came into effect on August 28, 2020. This is an amendment to the Growth Plan that came into effect on May 16, 2019.

The Growth Plan for the Greater Golden Horseshoe, 2019 (the Growth Plan) is issued under the Places to Grow Act and works to support the achievement of complete communities, manage forecasted population and employment growth, protect the natural environment, and support economic development. While the PPS as outlined above provides broader policy direction on matters of provincial interest, the Growth Plan provides more focused direction for development within the Greater Golden Horseshoe area. The Growth Plan builds on other provincial initiatives and policies and provides a framework to manage and guide decisions on growth through building compact, vibrant and complete communities.

The policies of the Growth Plan focus on the key themes of building more compact and vibrant communities; directing a significant share of new growth to existing built-up areas of the City; promoting the development of transit-supportive densities and the use of active transportation methods; and creating complete communities through ensuring a healthy mix of residential, employment and recreational land uses.

Policy Section 2.2.1 of the Growth Plan provides policies for managing growth. This policy section directs that growth should be directed in settlement areas based on the following, in Policy 2.2.1.2:

- a) the vast majority of growth will be directed to settlement areas that:
  - i. have a delineated built boundary;
  - ii. have existing or planned municipal water and wastewater systems; and
  - iii. can support the achievement of complete communities;
- c) within settlement areas, growth will be focused in:
  - i. delineated built-up areas;
  - ii. strategic growth areas;
  - iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and
  - iv. areas with existing or planned public service facilities;

Policy 2.2.1.4 of the Plan further supports the achievement of complete communities that:

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
- c) provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
- d) expand convenient access to:
  - i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;
  - ii. public service facilities, co-located and integrated in community hubs;
  - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
  - iv. healthy, local, and affordable food options, including through urban agriculture;
- e) provide for a more compact built form and a vibrant public realm, including public open spaces;
- f) mitigate and adapt to the impacts of a changing climate, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability;

The proposed development is within the Urban Growth Centre of the City, and in a location with access to existing local and higher order transit and public service facilities. The development includes both residential and commercial and employment land uses with access to local stores and services within the Downtown area. The proposed residential portion of the development provides a mix of unit sizes in addition to a future stacked townhouse area in a compact built form. Two publicly accessible open spaces are included in the development to facilitate a vibrant public realm.

Policy Section 2.2.3 guides development in Urban Growth Centres, where,

1. Urban growth centres will be planned:
  - a) as focal areas for investment in regional public service facilities, as well as commercial, recreational, cultural, and entertainment uses;
  - b) to accommodate and support the transit network at the regional scale and provide connection points for inter- and intra-regional transit;
  - c) to serve as high-density major employment centres that will attract provincially, nationally, or internationally significant employment uses; and
  - d) to accommodate significant population and employment growth.
2. Urban growth centres are to be planned to achieve, by 2031 or earlier, a minimum density target of 150 residents and jobs combined per hectare for Downtown Guelph.

The proposed development is located within the City's Urban Growth Centre and includes residential and commercial land uses to accommodate population and employment growth. The development will aid the City in achieving 2031 density targets.

The proposed Zoning By-law Amendment is consistent with and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe.

## **Downtown Secondary Plan Conformity**

The subject lands are designated as "Mixed Use 1" on Schedule C of the Downtown Secondary Plan.

Permissible uses within this land use designation include retail and service uses, multiple unit residential buildings (such as apartments and townhouse dwellings) and institutional uses. The "Mixed Use 1" land use designation requires a minimum floor space index (FSI) of 1.5 and encourages or requires the creation of active frontages by locating retail, service, and entertainment uses on the ground floor of buildings. Within this designation, the Zoning By-law establishes maximum and minimum setbacks from the street to help frame and animate adjacent streets. Further, to ensure a human-scale pedestrian realm, buildings taller than 4 storeys generally require a 3-6 metre setback from the front of the building fronting a public street. According to Schedule 'D' of the Downtown Secondary Plan, the subject lands have a split height designation that requires portions of the site to be developed as 3 to 15 storeys.

The applicant is proposing to develop the property with two, 15-storey mixed-use towers and a future stacked townhouse block which are permissible uses within the Downtown Secondary Plan.

The proposed development is planned and designed in a manner that:

- Helps achieve an overall minimum density target that is not less than 150 residents and jobs combined per hectare in accordance with the Growth Plan policies.
- Provides a diverse mix of land uses including residential and commercial uses to support vibrant neighbourhoods; and,
- Creates high quality public open spaces with site design and urban design standards that support opportunities for transit, walking and cycling.

The Zoning By-law Amendment is in conformity with the policies of the Downtown Secondary Plan.

## **Urban Design Master Plan**

The Downtown Secondary Plan identifies the Baker Street Property as a significant opportunity for redevelopment. A detailed Urban Design Master Plan (UDMP) was prepared in accordance with the policies of Section 11.1.8.5.1 of the Secondary Plan and addresses items generally relating to:

- a) location of public and/or private streets and laneways;
- b) location, size and configuration of parkland/open space on the site;
- c) location, uses and massing of buildings and their relationship to adjacent streets and open spaces;
- d) built form transitions to the surrounding community;
- e) shadow impacts;
- f) physical and visual connections to the immediate surroundings and broader downtown area;
- g) conceptual streetscape designs for internal streets and adjacent public streets to be improved;
- h) heritage attributes to be rehabilitated, conserved and retained in the proposed development;
- i) locations for heritage interpretation and/or public art;
- j) general location and lay-out of parking;
- k) provision of affordable housing; and

- l) environmental features and elements that support the Community Energy Plan and the sustainability policies of the Official Plan.

The UDMP for the proposed development was approved at a Special Council Meeting held on July 21, 2021.

The current conceptual site plan is the combined product of the UDMP and consultation with City staff through two previously submitted site plan submissions. The current conceptual site plan proposes on the northern portion of the site a future development area intended for a future stacked townhouse development. The townhouses are planned to be two-storeys in height, with a two-bedroom unit on the lower level and 3-bedroom units above. These townhouses are anticipated to be complementary to the north residential tower through its massing and use of materials.

South of the future stacked townhouses are the north and south towers. The north tower is a 15-storey building comprising of a 2-storey podium for commercial uses, and above, 13-storeys of residential uses. Retail entrances are provided off Wyndham Street North and Baker Street, with the residential lobby located fronting one of the proposed open spaces (Baker Court), and servicing and loading facilities for the building located flanking Park Lane, which additionally provides access to the proposed underground parking entrance.

The south residential tower is a 15-storey building containing commercial and live/work uses on the ground floor with a residential lobby. Above are 14-storeys of residential uses setback six metres from the ground floor along Baker Street with exterior balconies extending out to the streetwall edge on the north, west and south elevations on levels 2-3. Above the 3rd storey, 12 additional floors extend vertically in a tower form, with linear balconies facing east and west, with smaller unitized balconies on the north and south elevations.

Two publicly accessible open spaces, Baker Court and Wyndham Urban Square, are proposed as part of the development. Baker Court includes shared uses including pedestrian and vehicular linkages, residential lobby frontages, and functional vehicular service access with connection onto Baker Street. Wyndham Urban Square serves as the formal reception off Wyndham Street North and will include elevated planting beds, integrated seat walls, and landscaping adjacent to the east side of the North tower.

The site design conforms to the urban design policies of the Downtown Secondary Plan.

### **Review of Proposed Zoning**

The purpose and effect of the Zoning By-law Amendment to both Zoning By-law (1995)-14864, as amended, and to Zoning By-law (2023)-20790, as amended, is to permit specialized regulations to both Zoning By-laws that would facilitate the proposed development of two, 15-storey mixed-use towers containing 353 residential dwelling units with ground floor commercial, underground parking and a future stacked townhouse block. Apartments and commercial uses are permitted within the existing zoning of both By-laws.

Specialized regulations have been requested by the applicant and staff have also recommended additional specialized regulations to secure the development layout and ensure the site is developed in accordance with the approved Urban Design Master Plan. As both Zoning By-laws are currently and in temporarily overlapping effect, an amendment to facilitate the proposed development is required to both by-laws.

The following specialized regulations have been requested as detailed in Attachment-3 of this report:

### Permitted Use

The applicant has requested that stacked townhouse be added as a permitted use for the 2023 Zoning on this site. Stacked townhouses are already permitted in the 1995 Zoning By-law. The stacked townhouses will be complementary to the two residential towers by contributing to the range of provided dwelling unit options. Further, the stacked townhouses will provide a height transition from the 15 storey towers to the surrounding buildings. Given these reasons, and because the stacked townhouses were already included in the approved UDMP, staff are in support of adding this use in the 2023 Zoning By-law.

### Building Height

The applicant has requested site specific regulations for a maximum building height of 15 storeys on one portion of the site, and a minimum building height of 3 storeys on another portion. The new maximum building height will permit construction of the two, 15-storey towers while the new minimum building height is to permit the planned stacked townhouses. The location of the proposed buildings, in addition to the proposed height and massing, supports the general intent of the Zoning By-law while allowing for a redevelopment project to intensify the City's downtown area. Staff are in support of this regulation.

### Exterior Side Yard

A maximum setback of 17.5 metres for the exterior side yard is requested where a maximum setback of 0 metres is permitted. The 17.5 metres setback is needed to develop Wyndham Urban Square, which is planned to be positioned between the ground floor commercial of the North Tower and Wyndham Street North. The intent of the 0 metre setback is to ensure an active frontage be provided to help animate the downtown area. As Wyndham Urban Square will be a publicly accessible open space for passive recreation, the setback still fulfills the intent of the Zoning By-law by permitting an active use. Further, the commercial units facing into Wyndham Urban Square will still contribute to the active frontage in combination with the square. Staff are in support of this regulation.

### Floorplate Ratio

A floorplate ratio of 1:8:1 and 2:3:1 for the North and South Tower is requested where a maximum ratio of 1:5:1 is permitted. The intent of this request is to permit the functionality of the proposed buildings and to make efficient use of the space on an irregularly shaped lot. Staff are in support of this regulation.

### Stepback

The applicant has requested a 6 metre stepback on all portions of the building above the 2<sup>nd</sup> storey, measured from the building face of the 1<sup>st</sup> storey facing the street where the stepback is typically required for all portions above the 3<sup>rd</sup> storey. Stepbacks are intended to ensure the appropriate transition in scale and massing of the building to neighbouring development. The proposed built form still allows for an appropriate transition in height from the stepback to the existing adjacent buildings as outlined in the approved UDMP. Staff are in support of this regulation.

### Tower Separation

A minimum tower separation of 23 metres above the 12<sup>th</sup> storey of a building to any portion of another tower above the 12<sup>th</sup> storey is requested, where 25 metres is required. The 2 metre difference will contribute to the efficient use of space on an irregularly shaped

lot, and is not likely to impact pedestrian views as the tower podiums still maintain the minimum distance outlined in the Zoning By-laws. Staff are in support of this regulation.

#### Building Placement

The applicant requests a regulation permitting a building to be placed in an area zoned to permit a park or open space area. The applicant is already providing two open space areas on the lot, whereas the requested building placement is to make efficient use of the space on a compact lot. Staff are in support of this regulation.

#### Payment in Lieu of Visitor Parking

Off street parking is required to be located on the same lot as the use requiring the parking in the Zoning By-law. The applicant is proposing that payment in lieu of off-street visitor parking is to be provided for the development, where the funds generated from payment in lieu will be used to create parking located off site. Staff are in support of this regulation as off site parking would allow for more efficient use of space on the site, and because the applicant is already providing sufficient underground parking for residents. There are also sufficient off site parking locations for visitors to the Downtown.

#### Parking Ratio

A reduced parking ratio of 0.75 spaces per dwelling unit, and 0.5 spaces per affordable dwelling unit (based on Canada Mortgage and Housing Corporation(CMHC) definition of dwelling unit) is requested, where a rate of 1 space per unit is required in the Zoning By-laws.

The applicant submitted a Parking Study, Revised Parking Study and a Parking Study Addendum letter prepared by WSP Canada Group Limited to support the request for reduced parking. Staff retained BA Consulting Group to peer review the Parking Study and addenda. The final peer review memo is included in Attachment-14 of this report and parking is discussed further later in this analysis.

#### Accessible Parking Ratio

A parking rate of 2 accessible parking spaces plus a reduced 0.74% rate of only Type B accessible parking spaces is requested in the 2023 Zoning By-law. This is to permit four Type B accessible parking spaces located within the underground parking garage. The applicant notes that this is required as Type A spaces cannot fit in the underground parking garage, and notes the proposed Type B spaces already underwent three cycles of site plan review before the Type B spaces required a specialized regulation following approval of the 2023 Zoning By-law in April 2023.

Through the site plan review process, staff received confirmation that Type A accessible parking spaces are not required to be included within the privately owned parking garage. Further, the four Type B accessible spaces were determined to be fully functional. Staff are supportive of this regulation.

#### Driving Aisle Width

A driving aisle width of 6.0 metres is requested where the Zoning By-law requires a width of 6.5 metres. An additional width of 1.9 metres for an accessible parking aisle is requested where the Zoning By-law requires a width of 2.0 metres.

The provided Parking Study Addendum prepared by WSP indicates that the requested 6.0 metres is still functional while promoting the efficient use of space on an irregularly shaped lot. The proposed 1.9 metres accessible parking aisle width is noted to still be functional in allowing access to the lobby elevators. Staff are in support of this regulation as it facilitates the compact development of the site and achieving parking requirements.

### Compact Parking Spaces

The applicant requests a regulation permitting 4 compact parking spaces measuring 2.75 metres by 4.8 metres, and 4 more compact parking spaces measuring 2.6 metres by 5.7 metres. The 2023 Zoning By-law requires compact parking spaces to have a minimum size of 2.4 metres by 5.5 metres. The provided Parking Study Addendum indicates these spaces may only accommodate certain compact vehicle models and that sale of the compact parking spaces would require understanding from the owner regarding the smaller dimensions of the parking space.

The proposed compact spaces facilitate the creation of more compact development which is in keeping with the goals of the Official Plan and Provincial Policy. Staff are in support of this regulation as the applicant has demonstrated these 8 compact spaces would still be functional within the total 267 parking spaces.

### Sight Line Triangle

A transformer is proposed to be located within the sight line triangle of the intersection on Baker Street and Park Lane North where the Zoning By-law requires no structure be located within the sight line triangle. The intent of a sight line triangle is to ensure a clear view for motorists, cyclists, and pedestrians entering an intersection. The applicant notes it is not possible to locate the transformer underground due to the proposed underground parking garage. Further, the location of the transformer away from the proposed open spaces will prioritize use of space for the urban squares. Staff are in support of this regulation as the transformer location still allows for safe use of the intersection.

### Structure Grade

The applicant proposes that the underground parking structure will be located 200mm below a landscaped open space, where a minimum depth of 1.2 metres is required in the 2023 Zoning By-law. The landscaped open space, being Wyndham Urban Square, is described in the UDMF to be primarily hardscaped with seating, walkways, and elevated planting beds. The proximity of the underground parking structure is not expected to impact the development or use of these hardscape features or the underground parking garage while encouraging the compact development of the property. Staff are in support of this regulation.

### Community Energy Initiative Update (2019) and Climate Change

Section 4.7 of the Official Plan contains policies on Community Energy. Policy 4.7.4.1 of the Official Plan indicates that the City will utilize the development approvals process, such as site plan control, to ensure that new residential development includes sustainable design features.

The Developer has indicated that they will be including a number of energy efficiency measures within the proposed development consistent with the City's Community Energy Initiative (CEI) 2019 update. These initiatives proposed by the Developer will contribute to the City meeting its goal to become a net zero community by 2050. The Developer has provided a letter summarizing how their proposal addresses the CEI update (2019), and it is included in Attachment-12.

### Affordable Housing Strategy

The City's Affordable Housing Strategy (AHS) sets an annual City-wide 30% target for housing that is affordable with the goal of ensuring that affordable housing is included in the range and mix of housing provided for all households across the City. The goals and objectives of the AHS have also been incorporated into the Official Plan in Section 7.2 (Affordable Housing). These policies are intended to encourage and support the



development of affordable housing throughout the city by planning for a range of housing types, forms, tenures and densities and have been applied to the review of this proposed residential development application.

Implementing the City's affordable housing target is largely dependent upon designating a suitable amount of land and density for residential use, including mixed use developments. There is a high correlation between the City's growth management policies and the ability to meet both growth management and affordable housing targets. Apartment units represent the vast majority of residential units that are below the affordable benchmark price, as identified in the AHS.

The proposed development includes a total of 353 residential units in the form of apartment units (not including the future townhouse block). Based on this proposed housing form, it is anticipated that this development will contribute to the achievement of the affordability housing targets set for the City. This actual contribution will be measured as the units are rented or sold. The applicant has indicated a commitment of 12% of the residential units to be affordable housing units.

However, it is also noted that how much of any given development may be affordable cannot be assessed at the time of zoning approval, understanding that this would only be known when the first sale or rental price is established. For this reason, the measurement on the actual achievement of affordable housing targets is done on the basis of what has been constructed and then sold or rented in the previous year. The City's annual Affordable Housing Reports prepared over the past few years have indicated that the City has been meeting affordable housing targets.

#### Municipal Services and Infrastructure

Policy 6.1.3 of the Official Plan requires all new development to be on full municipal services, including sanitary sewers, water supply, stormwater management and transportation networks. Through a separate application to remove a holding symbol (H32) from the site, engineering staff have confirmed that the development can be supported by full municipal services and that sufficient capacity is available. Comments from Engineering are included in Attachment-13.

#### Parking

Parking for the proposed development is broken down as follows:

- 267 spaces within an underground parking structure for the residential units
  - Of which 4 are Type B accessible parking spaces
  - Of which 4 are compact spaces (measuring 2.75 metres by 4.8 metres)
  - Of which 4 are compact spaces (measuring 2.6 metres by 5.7 metres)
- 0 visitor parking spaces are proposed; to be offset by payment in lieu

Site-specific parking regulations have been requested for the parking of this development and are discussed earlier in this report.

Requirements as per 1995 Zoning By-law:

1 space per dwelling unit = 353 parking spaces plus 0.05 per unit for visitors (18 spaces). Parking is not required for the commercial component of the development.

**Total required as per 1995 Zoning By-law = 371**

Requirements as per 2023 Zoning By-law:

1 space per dwelling unit = 353 parking spaces, 0.05 spaces per unit for visitors (18 spaces)

## **Total required as per 2023 Zoning By-law = 371**

The proposed 267 total parking spaces represent a reduction from what is required from the Zoning By-laws.

As discussed earlier in the report, staff retained BA Consulting Group to peer review the Parking Study and addenda prepared by WSP and submitted by the applicant. The peer review memo is included in Attachment-14 and concludes that a reduced parking rate of 0.75 spaces per unit can be supported based on a robust traffic demand management (TDM) plan. The TDM measures will encourage users to use other forms of transportation. The applicant's TDM plan aims to encourage users of the site to better utilize transit, walking, and cycling opportunities to reach services and amenities in the downtown area. The TDM plan proposes to achieve this through the following measures, found in Table 5-1 of the Parking Study Addendum:

1. Unbundling parking spaces from the sale of dwelling units so residents without a car will not pay the additional cost of a space, or subsidize the cost of a resident that does purchase a space
2. Permitting a maximum of one space purchase per dwelling unit
3. Advertise transit, walking, and cycling opportunities as part of the marketing for the development
4. Provide bicycle parking spaces
5. Provide bicycle repair facilities as part of the building amenity
6. Provide multimodal travel information / weather forecasts in lobbies or elevators
7. Offer 3 car share vehicles for at least 2 years
8. Offer 8 shared e-bikes for occupants of the building
9. Provide multimodal travel information as part of the welcome package for new occupants
10. Provide \$300 in mobility vouchers for units without parking
11. Agreement to participate in resident travel surveys and post occupancy parking utilization studies

TDM measures outlined in the peer review memo will be secured through a separate legal agreement between the City and developer.

### Park and Trail Development

Park and Trail Development staff recommend that payment in lieu of conveyance of parkland be required for the development. Based on a review of the submitted materials Park and Trail development staff provide the following direction:

Prior to the issuance of a building permit, Cash-in-lieu (CIL) of Parkland will be required for this the private site in accordance with Section 17b) of the City of Guelph By-law (2022)-20717, or any successor thereof.

A narrative appraisal report of the subject property will be required to determine the market value of the site and CIL amounts. As per Section 21 of the By-law the appraisal is only considered valid for up to a period of one (1) year before CIL is collected. The appraisal report shall be prepared by a qualified appraiser who is a member in good standing of the Appraisal Institute of Canada.

Comments from Parks Planning are included in Attachment-13.

### Comments Received on the Application

Land use planning questions and issues raised by Council at the public meeting in response to the application that were not discussed in detail earlier in this analysis are

summarized and responded to below. No members of the public spoke at the October 17 Statutory Public Meeting.

### **Official Plan Amendment (OPA) 80 - Height Increase**

OPA 80 was approved through the Ministry of Municipal Affairs and Housing on April 11, 2023 to implement policies of A Place to Grow: Growth Plan for the Greater Golden Horseshoe, as well as the provisions of the Planning Act and Clean Water Act across the City through the Official Plan.

One specific amendment as it relates to the proposed development is in the Official Plan Section 11.1.7.2 - General Built Form and Site Development Policies (Downtown Secondary Plan), where the Downtown Secondary Plan was amended to allow for a maximum building height of 23 Storeys.

At the public meeting held on October 17, 2023, Council inquired into the possibility of increasing the height of the proposed towers from 15 storeys to the new maximum height of 23 Storeys. The applicant indicated that while a height increase could be considered, constraints relating to the existing site layout, parking requirements, and market demand for additional downtown units would need to be re-examined. The applicant further notes that there have already been several rounds of site plan review that are nearing completion before OPA 80 was introduced.

On October 23, 2023, the Ministry announced it would introducing legislation to renege provincial changes to Official Plans and Official Plan Amendments. At this time, the Minister's final decision on changes has not been announced and the developer has not indicated a desire to build 23 storeys.