

February 6, 2023

GSAI File: 1278-001

(Via Email)
Members of Peel Regional Council
Region of Peel
10 Peel Centre Drive
Brampton, ON L6T 4B9

Re: City of Mississauga Major Transit Station Area Official Plan Amendments
142, 143, 144 and 146
33HC TAS LP; 33HC Corp.; 3168HSLP; 3168HS Corp.
25 Hillcrest Avenue and 3154 Hurontario Street, City of Mississauga

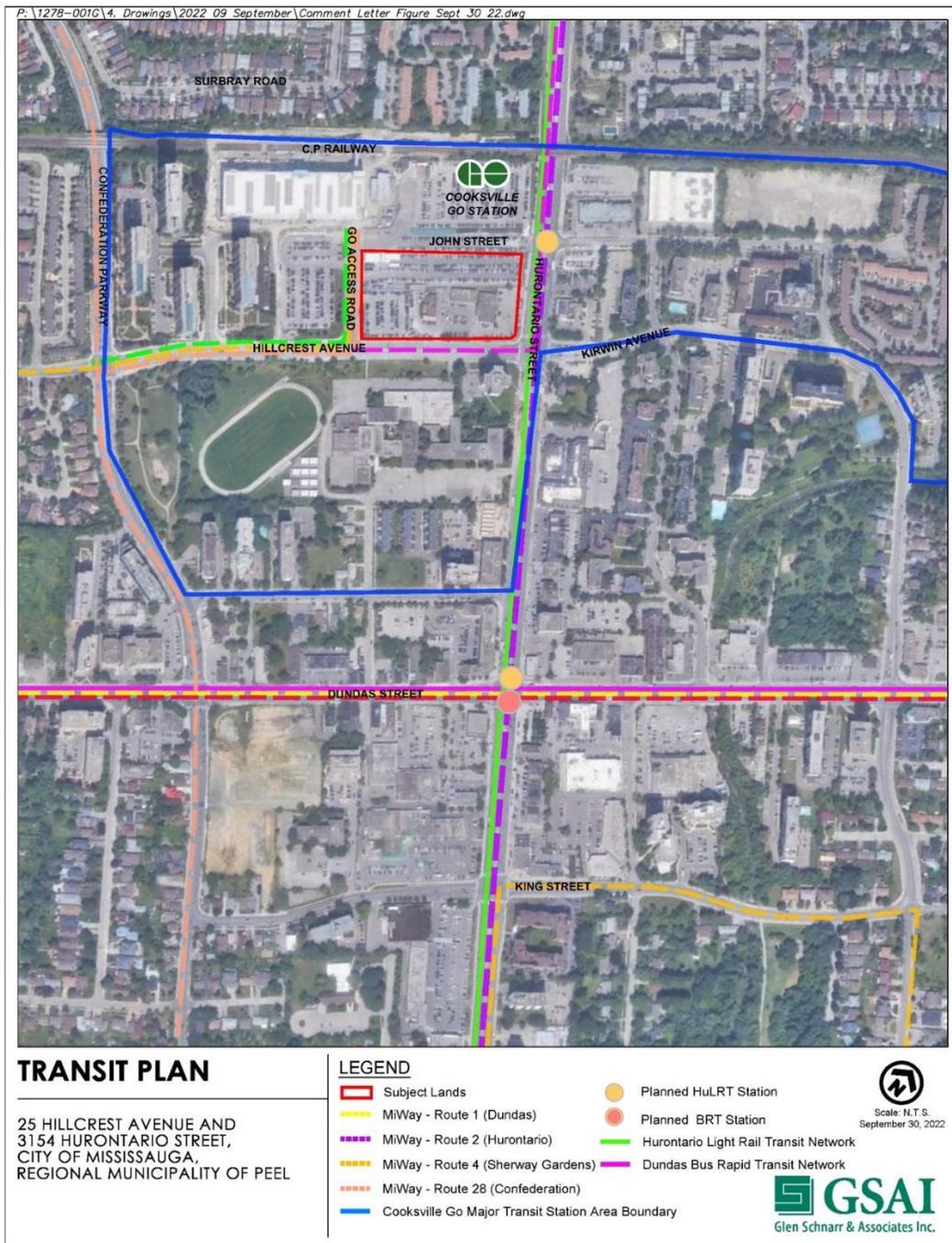
Glen Schnarr & Associated Inc. (GSAI) are the planning consultants to 33HC TAS LP, 33HC Corp, 3168HS LP and 3168HS Corp. (the 'Owner') of the lands municipally known as 25 Hillcrest Avenue and 3154 Hurontario Street, in the City of Mississauga (the 'Subject Lands' or 'Site'). As demonstrated on the Context Map on the next page, the Subject Lands are located on the west side of Hurontario Street, south of John Street and north of Hillcrest Avenue. The Site is within the Downtown Mississauga Urban Growth Centre, immediately adjacent to the Cooksville GO Station and the planned Hurontario Light Rail Transit ('HuLRT') network as well as within walking distance of the planned Dundas Bus Rapid Transit ('BRT') network. Overall, the Site is incredibly well-served by existing and planned higher order transit services and the Region of Peel Official Plan ('ROP') adopted in November 2022, has included the Subject Lands within the Cooksville GO Major Transit Station Area ('MTSA') – a Primary MTSA (Schedule E-5, Major Transit Station Areas).

The owner has submitted Official Plan Amendment/Zoning By-law Amendment Applications to the City of Mississauga (which are currently being processed under application file "OZ/OPA 22-19 W7") to facilitate the development of a mixed-use, transit-supportive development comprised of five buildings of varying heights between 34 and 46 storeys with residential, retail and community land uses.

Although the Owner supports the Cooksville GO MTSA delineation and the inclusion of the Subject Lands within the Cooksville GO MTSA in the ROP, we are providing this Letter to highlight a concern with Mississauga Official Plan Amendment 144 and the implementation of a maximum building height of 30 storeys.

REFERRAL TO _____
RECOMMENDED _____
DIRECTION REQUIRED _____
RECEIPT RECOMMENDED

GSAI, on behalf of the Owner, has been participating in City of Mississauga Downtown Fairview, Cooksville and Hospital Policy Review, the City of Mississauga's City-Wide Major Transit Station Area Study, the Mississauga Official Plan Review, the Region of Peel Municipal Comprehensive Review (referred to as 'Peel 2051+') and the Region of Peel Major Transit Station Area Study initiatives and we have submitted comments on these initiatives. We have reviewed the Mississauga Official Plan Amendments 142, 143, 144 and 146, as presented in the agenda package for the February 9, 2023 Peel Regional Council meeting and offer the following comments to you members of Regional Council, on behalf of the Owner.



Background

In accordance with s. 16(16) of the Planning Act, an official plan of an upper tier municipality may include policies that identify the area surrounding and including an existing or planned higher order transit station or stop as a Protected Major Transit Station Area ('PMTSA'). Furthermore, an upper tier official plan may contain policies that delineate the boundaries of PMTSAs and if the noted policies are incorporated, must identify minimum numbers of residents and jobs collectively per hectare for these PMTSAs. Similarly, if an upper tier official plan includes the above noted policies, s.16.16(b) requires the official plans of relevant lower-tier municipalities, in this case the City of Mississauga, is to include policies that identify authorized uses of land in PMTSAs and to identify minimum densities that are authorized with respect to buildings on lands within these identified PMTSAs. Although the Planning Act does not require the inclusion of policies identifying maximum densities or maximum heights within identified PMTSAs, s.17(36.1.4.5) and s.17(36.1.4.7) provide that there is no appeal in respect of policies that identify both the minimum and maximum heights and densities that are authorized with respect to building and structures on lands in a PMTSA identified in accordance with s.16(16) provided specific requirements are met as set out in s.17(36.1.5). We are concerned that as presented, Official Plan Amendment 144 establishes maximum building heights for lands located in PMTSAs and that these maximum building heights are sheltered from appeal. OPA 144 establishes the Subject Lands as having a maximum building of 30 storeys. This maximum building height is concerning.

Maximum Building Heights in PMTSAs

As stated, we support the Cooksville GO MTSA delineation and the inclusion of the Subject Lands within the Cooksville GO MTSA. We are, however, concerned with the maximum height identified on the modified Schedule 11L.

To date, the City of Mississauga has undertaken a City-Wide Major Transit Station Area Study ('Study'). This Study culminated in a series of City-initiated Official Plan Amendments, including OPA 142, 143 and 146. Collectively, these Amendments delineate a series of 56 MTSA's across the City of Mississauga, identify land use permissions within each MTSA, identify minimum density targets for each MTSA and identify minimum and maximum heights for each MTSA. We note that should these Amendments be approved as contemplated, the specified land use designations, densities and building heights are sheltered from appeal.

In our opinion, the implementation of maximum heights in the Mississauga Official Plan Amendments does not reflect what can be achieved in these areas where compact, mixed-use, transit-supportive development is to be directed. Further, these maximum heights have been identified without careful analysis and will limit the redevelopment potential of lands where transit-oriented, mixed-use development ought to occur. Contrary to good planning, these maximum heights will become a barrier to accommodating development in appropriate locations, in proximity to higher order transit where higher density, transit-supportive development ought to be, and will be a barrier to supporting greater housing choice and the delivery of 1.5 million new housing units challenging the implementation of Provincial policy objectives.

The policy recommendations proposed through the Region's review which defer to municipalities to cap height in strategic growth areas ultimately undermine the purpose of long-term, sustainable planning and directly contravenes the objectives, direction, and visions of Provincial, Regional and Municipal policy directives. We feel, conversely, that with respect to MTSA's, the City of Mississauga should include policies that provide flexibility that better account for specific locational considerations that align with the aspirations of Primary MTSA's.

As such and in the interest of directing appropriate intensification within identified Protected Major Transit Station Areas, in accordance with Provincial policy planning mandates, we respectfully request that Council reconsider staff's recommendation and exercise their authority to modify the OPAs to remove the establishment of maximum permitted building heights in PMTSAs. We take direction from the Province's position in their modification to the Region of Peel Official Plan, whereby they struck out Regional policies permitting lower tier municipalities to establish maximum building heights. Building heights should be determined on a site-by-site basis to consider site and local context, and appropriateness, through the development application process.

The Subject Lands are located directly beside a GO Transit station, future Light-Rail Transit and located in Downtown Cooksville, where the future vision of the community is a 15-minute walkable community. This important site context, locality and potential is dismissed when the Site is grouped under overarching height maximums. Furthermore, this Site is a prime candidate for assisting Mississauga in achieving their housing objectives as per the new Housing Action Plan, (approved by Council January 18, 2023) and in helping the City and Province meet their goal of building 120,000 new homes in Mississauga over the next decade.

Thank you for the opportunity to provide these comments. Please do not hesitate to contact the undersigned if there are any questions.

Sincerely,

GLEN SCHNARR & ASSOCIATES INC.



Glen Broll, MCIP, RPP
Managing Partner



Jennifer Staden, MCIP, RPP
Associate