

February 6, 2023

GSAI File: 1382-001

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

**RE: Regional Council Item 13.1 - City of Mississauga Major Transit Station Areas
Official Plan Amendments 143 & 144**
1425 Dundas Street East
City of Mississauga, Region of Peel

Glen Schnarr & Associates Inc. (GSAI) have been retained as the Planning Consultants (to CPD Developments) to review policy planning initiatives as well as to advance formal development applications on the site municipally addressed as 1425 Dundas Street East (the “subject site”), located in the City of Mississauga, Region of Peel.

The Site is within the Dundas Connects Study Area, Dundas BRT – Kirwin, Grenville, Tomken, Dixie GO, Wharton Protected Major Transit Station Area (‘PMTSA’) (Schedule 11g of proposed Mississauga Official Plan), and from what we understand, part of the future Community Node (to be lineated though a future City-led process). Overall, the Site is well-served by existing and planned transit services.

Although our Client, the Owner, supports the delineation of the PMTSA and the inclusion of the Subject Lands within the PMTSA, we are providing this Comment Letter to highlight a concern with the Region’s direction to allow local area municipalities the authority to provide maximum heights in PMTSA’s.

GSAI, on behalf of the Owner, has participated in the City of Mississauga Official Plan Review and has submitted correspondence on this item in the past. We have reviewed the Region’s Recommendations regarding Mississauga Official Plan Amendments 143 and 144, as presented in the agenda package for the February 9, 2023 Peel Regional Council meeting, and offer the following comments to members of Regional Council.

Background

REFERRAL TO _____
RECOMMENDED _____
DIRECTION REQUIRED _____
RECEIPT RECOMMENDED ☒ _____

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 maximum building heights for lands located in PMTSAs are sheltered from appeal.

Maximum Building Heights in PMTSAs

As stated, we support the PMTSA delineation and the inclusion of the Subject Lands within the PMTSA. We are, however, are generally concerned with the Region's recommendation surrounding permission for area municipalities to assign height caps in PMTSA's, at their own discretion.

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. 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.

In our opinion, the implementation of maximum heights would not reflect what can be achieved in these areas where compact, mixed-use, transit-supportive development is to be directed. Further, these maximum heights will likely result in limiting the redevelopment potential of lands where transit-oriented, mixed-use development ought to occur. Contrary to good planning, 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 undermines the purpose of long-term, sustainable planning and directly contravenes the objectives, direction, and visions of Provincial, Regional and Municipal policy

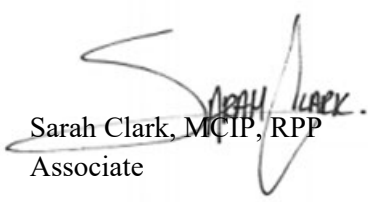
directives. We feel, conversely, that with respect to PMTSA's, the City of Mississauga should include policies that provide flexibility that better account for specific locational considerations that align with the aspirations of PMTSA's. We feel that decision making related to permitted heights and densities within strategic growth areas are best evaluated on a site-by-site basis (reviewed through a development application). This method affords municipal staff the opportunity to review and comment on the appropriateness of development proposal(s) through the development application review process.

As such, in the interest of directing appropriate intensification within identified PMTSA's in accordance with Provincial policy planning mandates, we respectfully request that Council reconsider the direction provided from staff with regard to the proposed recommendations to grant permission to local area municipalities to establish maximum permitted building heights in PMTSA's.

We partially take the basis of our commentary from the Province's position in their modifications to the Region of Peel Official Plan, wherein they modified the language to remove maximum building heights.

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.



Sarah Clark, MCIP, RPP
Associate

cc. Alexandra Kau, CPD Developments
David Baffa, Commercial Land Strategies