

MINUTES



LAKEVIEW LOCAL ADVISORY PANEL

THE CORPORATION OF THE CITY OF MISSISSAUGA

www.mississauga.ca/lakeviewportcreditreview

THURSDAY, MAY 13, 2010

MISSISSAUGA SENIORS' CENTRE
LUCY TURNBALL ROOM (1389 Cawthra Road)

Members Present

Councillor Corbasson, Chair
Lucy Cameron, Recording Secretary
Junie Ang
John McKenna
Alex Banks
Professor John Danahy

Members Absent

Charles Sousa, MPP
Jim Tovey, Vice-Chair
Mark Tutton
Andre Lill
Bill Logar
Jamie Pugh
Raya Shadursky

Staff Present

Susan Tanabe, Manager, Community Planning, Policy Division
Karin Phuong, Planner, Community Planning, Policy Division
Anne Farrell, Community Services, Planning and Heritage

Guest Presenters

Pamela Kraft, Kilmer Group
David Harper, Kilmer Group

1. **Overview and Introductions**

- Councillor Corbasson introduced the agenda and guest speakers, including Pamela Kraft and David Harper of the Kilmer Group to address brownfield redevelopment and financial incentives and Anne Farrell, to discuss the Cycling Master Plan

2. **Brownfield Redevelopment (Pamela Kraft, Kilmer Group)**

- Kilmer Brownfield Fund is the first dedicated Canadian brownfield fund, with a focus on purchasing relatively large brownfield lands anywhere across Canada. The first property purchased under the Fund was in Mississauga on South Sheridan Way.
- Kilmer Brownfield Fund purchases former industrial properties and repositions them for redevelopment

Brownfield Opportunity

- Opportunities for brownfield redevelopment are on, for example, former industrial or commercial contaminated properties in established areas with existing infrastructure. Environmental liabilities impact the value of site, and restoration is technically challenging and costly.

Lakeview Area

- There is considerable potential for impacts given the long industrial history of the area. Residential intensification triggers more environmental sensitivities, remediation efforts and costs.

Barriers to Brownfield Redevelopment – Difficulty in Managing Risk

- **Finance** – conventional financing is not available (costs higher than value)
- **Liability** – issues that affect both owners and developers
- **Processing** – uncertainty in environmental and planning matters, timing and outcome uncertainty. Redevelopment could take approximately 18 to 48 months until site closure in order to complete site restoration and obtain the necessary approvals.

South Sheridan Example – 2006 purchase and divestment in late fall of 2008. Two years to buy and remediate, based on the intended land use. If the planning process is occurring during remediation, you will know the level of remediation effort involved, with residential being the most stringent. The time factor can be reduced if planning occurs at the same time.

Environmental are the least of the risks –the market and planning approvals have a substantial impact on the outcome and value

Need for Incentives

- Industrial owners with high expectations
- Cost of land assembly
- Cost and time to obtain regulatory site closure
- Required to transition/revitalize areas such as Lakeview
- Excludes market and planning risk and other environmental liabilities

Municipal Resources

The City can provide financial incentives in the form of grants, application and development charges relief, landfill tipping fee waiver, parkland dedication reductions, realty tax freezes during rehabilitation works, tax increment grants/financing after redevelopment

Community Improvement Plans (CIPs) can be implemented for brownfield sites. CIPs typically cover the cost of and/or reduce the costs of: environmental studies; remedial work plans; risk assessments; disposal of contaminated soil; placing of clean fill and site grading; building demolition; installing environmental and/engineering controls; environmental insurance premiums; LEED program components; upgrading of on and off site infrastructure (hard services); interim financing related to eligible costs; and legal fees

Assessment of Incentives Models

Funding at the early stages provides for the greatest positive impact for brownfield redevelopment.

Tax Increment Grants (TIGs) are more likely to entice developer investment in an area. Tax cancellation during remediation is also very effective. Waiving of development charges and building permit grants have considerable value as well.

TIGs are grants to the developer that are intended to offset the increase in property taxes that occur when lands are rezoned and redeveloped. A TIG is essentially a rebate of a percentage of the incremental tax increase that occurs over time, with an upset limit on the grant equal to or less than the total eligible remediation costs. The difficulty is that the value of the rebate is reduced over time, for instance a \$2 Million reduction in taxes equates to a net present value to the developer of only \$1.2 M (40% reduction in the value of the grant). The longer the term of the TIG, the greater the reduction in the value of the TIG to the developer.

Phased development sites offer little to developers because the TIG can continue for many years after the development has been completed and sold

Development Charge (DC) Credits – credits available from buildings that have been demolished and that can be applied to new development. Mississauga’s DC Bylaw does not provide an expiry date, which is advantageous given the length of time often required for site remediation prior to rebuilding.

Land Uses – given the tax differential on land uses, commercial uses provide a significantly higher tax rebate, and when all potential credits/rebates are considered, the overall value of the credit for retail uses is significantly higher than industrial uses. A comparison of two properties with different tax classes (industrial versus commercial) shows a TIG differential of almost \$1M after ten years.

Municipal – Issues to Consider for Incentives

1. Which land uses are to be eligible for incentives?
2. Timing considerations – in terms of development charge credits; incentives and the CIP Application process
3. How do you provide incentives that can be accurately estimated by the developer?

Redevelopment of Brownfields Creates Value

- Community benefit, with improved land uses and revitalization;
- Certainty of process associated with environmental and planning legislation
- Appropriate cleanup standards and remedial actions resulting in site closure
- Incremental approach to site restoration and integration with site redevelopment
- Smart and sustainable development and building design

Questions and Comments to Kilmer Group

1) How the OPG lands can be redeveloped

The lands will likely be broken up into blocks and roads, similar to the redevelopment of Toronto’s Waterfront. As you go through creation of blocks and have to address conveyance matters (such as municipal roads), what is the standard of cleanup. Municipalities sometimes set remediation standards outside of the MOE process. Pristine conditions are not always achievable for brownfields.

Recent changes to legislation as of Dec. 2009. Municipalities are exempt from liability provided an RSC is filed. Therefore there is no need to have municipalities set standards. Mississauga relies on RSCs.

City of Toronto can use generic standards and risk based assessments. Waterfront Toronto issues include ecological issues, etc. given the waterfront location. In the case of OPG, the Department of Fisheries and Oceans (DFO) will be involved for instance, but will default to provincial standards.

2) The coal pile on the OPG lands was raised in terms of its environmental condition. The transformer field will be remediated to industrial standards.

Sites that have environmental issues are no threat if there are no receptors and provided that the site is managed appropriately, but with redevelopment, a new remediation approach is triggered, and you need to tailor use and built form to the conditions.

There could be layers of impact. You need to understand the history of the site and its use to determine its potential and suitable future uses. To make redevelopment work, there is a need for a higher value use.

You can always get some sort of site closure, but you won't necessarily get the use you want ultimately – that is the risk of remediation.

3) What is the peer review process, and what are the impacts that go beyond property lines (eg. Imperial Oil).

With changes in legislation, property owners are more willing to sell and go forward.

Imperial Oil is in a unique position, they can sit on properties. Their Port Credit site of 75 acres will cost approximately \$38M to decommission – standards have changed however, so costs could vary from \$38 M to \$10M – or maybe more. It took 12 years to get the trail across the waterfront – very unique as it relates to liability.

In terms of the principal that the polluter pays, and Imperial Oil's Calgary and Quebec experiences, those were unique situations in the 1980's in the absence of good standards. It is likely they will shift their attitude over time.

The new legislation has not been tested – regulatory, civil and contract liability is now managed differently.

Built form issues arise in risk management. For instance, providing basements and parking as a means of capping the site when sensitive uses are considered and blocking pathways of materials in the soil that are of poor quality. There is an impact on foundation and caisson construction.

4) A question was raised about how parkland would be treated

Parkland is treated as a sensitive use so remediation is to residential standards.

4. Cycling Master Plan – Presentation by Anne Farrell

Background

The Master Plan is a long-term strategy with a 20-year outlook, prepared as an update to the 2001 Master Plan (Mississauga Multi-Use Recreational Trail Study), which focused on cycling as a recreational pursuit. The current Master Plan identifies cycling as a form of transportation as well. The plan has been developed with considerable consultation with consultants' iTRANS and Victor Ford & Associates, the community, adjacent municipalities, and the Mississauga Cycling Advisory Committee (MCAC).

Key messages of the Master Plan are to create connectivity, with routes to major destinations (eg. community centres, libraries, employment centres, major transit stations), the preparation of safe cycling facilities, bicycle parking and amenities (eg. showers at workplace).

The overall vision is that cycling will become a way of life in the City.

Goals

- Foster a culture where cycling is an everyday activity
- Build an integrated on-road and off road cycling network as part of a multi-modal transportation system
- Adopt a “safety first” approach for cycling in Mississauga

Recommendations

1. Establish a cycling office to oversee the implementation of the cycling master plan
2. Monitor the increase in cycling use including the transportation modal split for weekday trips (long term goal of 10%)
3. Promote cycling to schools
4. Increase awareness of cycling to the general public
5. Establish an educational plan for motorists and cyclists
6. Add an average of 30 km to the cycling network per year over the next 20 years

Routes

Existing and proposed routes were reviewed.

Off road primary routes include:

- the Queensway, the Waterfront Trail, several hydro corridors, the 403 corridor, and the Credit River, Etobicoke Creek and Cooksville Creek

Primary routes within the road right of way include:

- Burnhamthorpe Road, Confederation Parkway, Rathburn Road

Primary routes within the road right of way which are special study areas are:

- Lakeshore Road, Dundas Street, Hurontario Street

Lakeshore Road is identified as an on road route for the full length
 Currently there are a number of challenges such as:

- numerous access points and pinch points through Clarkson and Port Credit
- on street parking in Port Credit

The conditions through Lakeview are more comfortable with the potential for bike lanes or a multi use trail on the south side.

The Cycling Master Plan considers all types of cyclists and cycling trips

- serious road users versus recreational users and direct travel versus recreational travel.
- there are differences in male and female preferences in bike travel as well.

It was noted that in Lakeview, the Cooksville Creek bridge is a pinch point. Streets that everyone really uses aren't formally noted on the primary network. These routes are included on the secondary route map.

A question was raised about how the City will deal with the numerous driveways along Lakeshore through Lakeview. It was suggested that striping of the route depicting cross rides would be effective. (note: The Transportation Review Study is suggesting that numerous driveways be consolidated, a raised median with left turn pockets for the access points)

Signage

Signs and pavement markings help promote cycling and support the cycling network by providing guidance for cyclists, pedestrians and motorists. A number of different signs are provided in the City, including interpretive signs for named trails; regulatory signs
 Wayfinding signs will be developed that include distance, direction and destination

Bike Parking and Amenities

Bike parking is essential to support the development of cycling as an active transportation choice.

- In 2009 all Mississauga buses were equipped with bike racks
- Sheltered bike parking is being included at all GO stations
- With in 5 years bicycle parking will be included at all existing City owned facilities (municipal transit stations, libraries, community centres major parks)

A suggestion was made that there could be an opportunity for bike racks to be public art, noting the ROM bike racks as an example, or create a Mississauga brand

Next Steps (Implementation)

GC and Council approval

5. **Other Matters**

• **Timing of the Draft Policies**

- **Planning and Development Committee in the fall** – Staff indicated that a lead up time of six weeks will be required, which will result in a fall reporting at PDC with a corporate report containing draft policies – recommendations will be to circulate and initiate a public consultation program, that may include facilitated sessions, workshops, open houses
 - **Review of comments and drafting of recommendations** – receive comments by March/April (six months)
 - **Report to City Council** – April
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- **OPG Request for Proposals** (High level concept plan) - timeframe for concept plan is year end 2010 and GC and Council early in the new year (closure for the RFP is May 26th) – any OPG recommendations that require OPAs will follow the Lakeview amendments
 - **Approval of April, 2010 Minutes** - contact City staff with any comments
 - **Next Meeting** - June 17, 2010 meeting in the Multi-Purpose Room may include a discussion of the transportation review study, and a discussion of urban design, including height and density. (note: the recommendations in the Transportation Review Study will be presented to the Advisory Panel in the fall)
 - **Criminal Record Searches** – all members were urged to send in the completed police record search forms.