



Corporate Report

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CD.06.RES

DATE: March 27, 2007

TO: Chair and Members of Planning and Development Committee
Meeting Date: April 16, 2007

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Report on Comments – Amendment 66 to Mississauga Plan – Proposed Height Limitations for Vacant Sites Designated Residential High Density Outside the Urban Growth Centre**

RECOMMENDATION:

1. That the special site policies of Mississauga Plan be amended as outlined in Appendix 1 to the report titled *“Report on Comments – Amendment 66 to Mississauga Plan – Proposed Height Limitations for Vacant Sites Designated Residential High Density Outside the Urban Growth Centre”* dated March 27, 2007 from the Commissioner of Planning and Building.
2. That the Zoning By-law be amended, where necessary, to implement Amendment 66 to Mississauga Plan.

BACKGROUND: City Council, on February 14, 2007 adopted the following recommendation:

PDC-0009-2007

“That a public meeting be held at the Planning and Development Committee to consider proposed amendments to Mississauga Plan as outlined in the report titled *“Proposed Height Limitations for Vacant*

Sites Designated Residential High Density Outside the Urban Growth Centre” dated January 16, 2007 from the Commissioner of Planning and Building.

The statutory public meeting to fulfill the requirements of the *Planning Act*, was held on March 19, 2007 at Planning and Development Committee. Notice of the public meeting appeared in the Mississauga News on February 21, 2007 and notices were sent to all the land owners of sites identified in the corporate report.

Approximately 10 persons attended the meeting and were provided with the opportunity to comment on the proposed height limitations for vacant sites designated Residential High Density I and II outside the Urban Growth Centre.

This report responds to the comments received at the public meeting as well as to written comments that have been submitted.

COMMENTS:

Public Meeting Comments

Three persons asked questions or provided comments on the proposed height limitations for vacant sites designated Residential High Density I and II outside the Urban Growth Centre. Three written submissions were received in response to the corporate report.

Four-Storey Height Limit Outside the Urban Growth Centre

Two comments received related to the four-storey height limit for lands located outside the Urban Growth Centre. A letter dated March 19, 2007, (Appendix 2) was submitted by Mr. Michael Moldenhauer expressing concern with the Interim Residential Intensification Policies, Official Plan Amendment (OPA) 58, which limits heights outside the Urban Growth Centre to four-storeys, unless other provisions are stated in Mississauga Plan.

Mrs. Rajna, the owner of a portion of the site located at the northeast corner of Dundas Street East and Haines Road, expressed concern with the four-storey height limit that is in place on her property as a

result of OPA 58. She requested that the Committee waive the four-storey height limit that is currently in place for her site.

OPA 58 was adopted by City Council on September 27, 2006 and the appeal period has ended. OPA 66, which was discussed at this public meeting, relates to specific sites where height provisions in excess of four-storeys have been granted through a rezoning application process and, therefore, should not be subject to the four-storey height restriction. The opposition to the four-storey height provision by Mr. Moldenhauer and Mrs. Rajna is noted, however, the matter has already been dealt with through a previous public process and adopted by City Council.

The four-story height policy outside the Urban Growth Centre is an interim provision until such time as the Growth Management Strategy has been completed. That strategy will provide a comprehensive approach to residential intensification, among other matters. With the adoption of OPA 66, all sites designated for high density residential development outside the Urban Growth Centre either are developed or have special site policies in place identifying where a height of over four stories has been considered appropriate through the review of the district policies or a development application. Additional building heights may be supported where it can be demonstrated that the interim residential intensification policies can be met.

Site Specific Comments

Three comments received related to specific sites. The first, a letter dated February 5, 2007, (Appendix 3) was received from the Erin Mills Development Corporation regarding vacant sites designated residential high density that it owns. The letter confirms that the 25-storeys proposed on their sites located in Central Erin Mills are appropriate. The letter refers to a site in Churchill Meadows, located at the northwest corner of Eglinton Avenue West and Winston Churchill Boulevard, where an active application in process proposes a 16-storey built form, and suggests that the height for this site be increased to 25-storeys.

Mr. Peter Swinton of PMG Consulting attended the public meeting representing the property located at the southwest corner of Eglinton Avenue West and Mavis Road. Mr. Swinton's concern is that the active application on this site will be prejudiced if a 16-storey height provision is included in the City's official plan before this application is fully considered through the planning process. Mr. Swinton requested that a decision on this site be deferred until the active application has been completed.

For sites where there are applications in process, these applications should proceed through the planning process. The purpose of OPA 66 is to recognize previously approved building heights and is not intended to prejudice current applicants. If OPA 66 is not adopted by City Council, the new zoning by-law will be required to impose a four-storey height cap in these sites, thus, removing previously granted development rights.

The height permitted on the site located at the northwest corner of Plantation Place and Hazelton Place was questioned by the Ward Councillor. The Councillor wanted to ensure that the proposed 17 storey height would not apply to all of Special Site 3 of the Central Erin Mills District Policies but only to that portion where an apartment building had been approved during the processing of the development application. The site that had been identified for the 17 storey height provision is the vacant southern portion of Special Site 3 (lands south of Rio Court). The northern portion of Special Site 3 (lands north of Rio Court) was not included in the site identified for the 17 storey height provision. Those lands have been developed for townhouses and a long term care facility and would continue to have a four-story height cap. As such, no change to the proposed policies is required.

General Comments Regarding Intensification

Two comments received were in regards to intensification. Mr. Mark De Souza of FRAM Building Group inquired about the status of and future dates scheduled for the Growth Management Strategy.

Mr. De Souza was informed that staff are currently working on the Growth Management Strategy that will identify areas for which intensification is planned. Intensification will be focused in areas such

as the Urban Growth Centre, nodes and corridors and near major transit stations. In addition to residential intensification, this study will include employment potential and growth. The study will also examine Mississauga's future housing needs and potential housing opportunities. Staff indicated that the study may be ready for public consultation by the end of this year or early next year.

Resident Ka Yip Ng submitted an e-mail dated March 15, 2007 (Appendix 4) addressing concern that intensification and future developments may have a negative impact on existing services if the City does not address those impacts in detail and in advance of future development. Concern was also noted in regards to the development planned for the site located north of Eglinton Avenue West, west of Mavis Road.

The sites identified in the report "*Proposed Height Limitations for Vacant Sites Designated Residential High Density Outside the Urban Growth Centre*" have already gone through a planning process to determine height. The applications for these sites would have addressed issues related to infrastructure capacity, City and Regional services, and the impact on the surrounding neighbourhood. These applications would have received public comment and, based on the application and public feedback, a decision would have been made by City Council. OPA 66 deals strictly with sites where heights in excess of four-storeys outside the Urban Growth Centre have been through the planning process.

Though the site located north of Eglinton Avenue West, west of Mavis Road is zoned for an 18-storey building, the current application for the site proposes a 13-storey built form.

Staff verbally responded to the questions and comments at the meeting. No changes to the proposed policies are recommended as a result of the public's questions or comments.

FINANCIAL IMPACT: Not applicable.

CONCLUSION:

The public meeting regarding the proposed height limitations for vacant sites designated Residential High Density I or II outside the Urban Growth Centre provided an opportunity for the community to express their views and provide comment. A few people used the public meeting to ask questions and provide comments.

Three written comments were also received. The comments reflected opposition to the four-storey height limit for sites outside the Urban Growth Centre and intensification in general. In addition, an inquiry was made to timings for future studies on intensification and the Growth Management Strategy.

No changes to the proposed policies are recommended based on the comments received at the public meeting.

ATTACHMENTS:

APPENDIX 1: Official Plan Amendment 66

APPENDIX 2: Letter dated March 19, 2007 from Michael Moldenhauer, Moldenhauer Developments

APPENDIX 3: Letter dated February 5, 2007 from J.R. Griffin, The Erin Mills Development Corporation

APPENDIX 4: E-mail dated March 15, 2007 from Ka Yip Ng, Resident

Original Signed By:

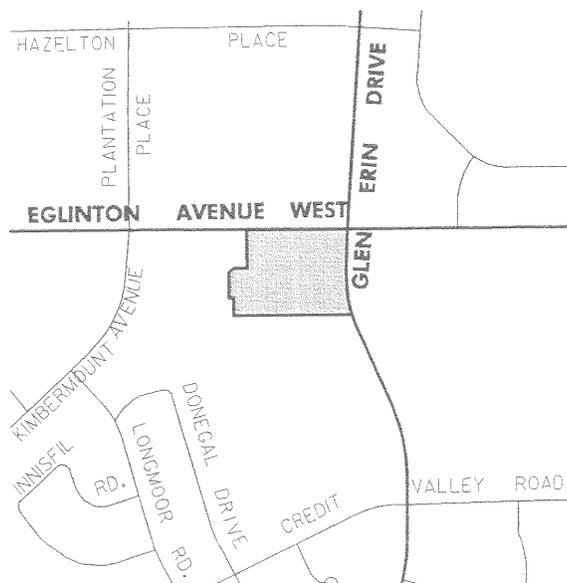
Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Shahada Khan, Planner, Policy Planning

OFFICIAL PLAN AMENDMENT 66DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

1. Section 4.4.5.4 Special Site 3 of the Central Erin Mills District Policies of Mississauga Plan is hereby amended by adding the following policy:
 - b. for the lands south of Rio Court the maximum apartment building height will be seventeen (17) storeys.

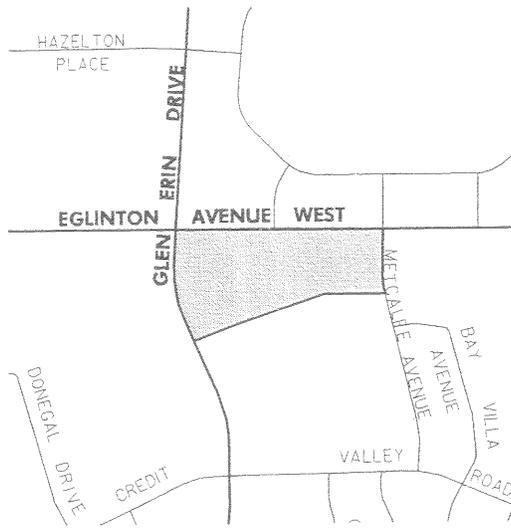
2. Section 4.4.5, Special Site Policies of the Central Erin Mills District Policies of Mississauga Plan, is hereby amended by adding the following special site policies:

4.4.5.7 Site 6

The lands identified as Special Site 6 are located at the southwest corner of Eglinton Avenue West and Glen Erin Drive.

Notwithstanding the provisions of the Residential High Density II designation, the maximum apartment building height will be twenty-five (25) storeys.

4.4.5.8 Site 7



The lands identified as Special Site 7 are located at the southeast corner of Eglinton Avenue West and Glen Erin Drive.

Notwithstanding the provisions of the Residential High Density II designation, the maximum apartment building height will be twenty-five (25) storeys.

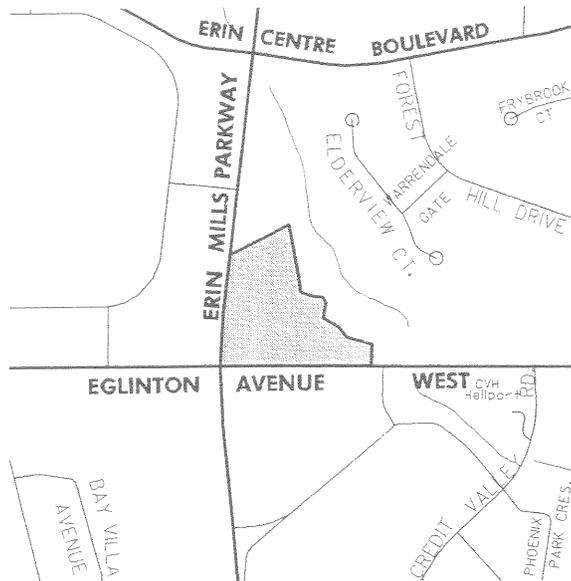
4.4.5.9 Site 8



The lands identified as Special Site 8 are located at the southwest corner of Eglinton Avenue West and Erin Mills Parkway.

Notwithstanding the provisions of the Residential High Density II designation, the maximum apartment building height will be twenty-five (25) storeys.

4.4.5.10 Site 9



The lands identified as Special Site 9 are located at the northeast corner of Eglinton Avenue West and Erin Mills Parkway.

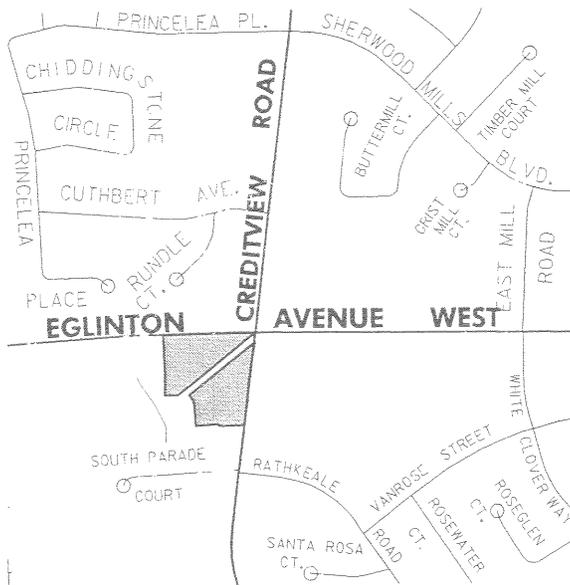
Notwithstanding the provisions of the Residential High Density II designation, the maximum apartment building height will be twenty-five (25) storeys.

3. Section 4.7.7.17 Special Site 16 of the Clarkson-Lorne Park District Policies of Mississauga Plan, is hereby amended by deleting the second paragraph and replacing it with the following:

Notwithstanding the provisions of the Residential High Density I designation, the following additional policies will apply:

- a. the maximum permitted Floor Space Index will be 1.2;
 - b. the maximum apartment building height will be seven (7) storeys.
4. Section 4.11.6.6 Special Site 5 of the East Credit District Policies of Mississauga Plan, is hereby amended by adding the following policy:
 - c. the maximum apartment building height will be eighteen (18) storeys.
 5. Section 4.11.6, Special Site Policies of the East Credit District Policies of Mississauga Plan, is hereby amended by adding the following special site policies:

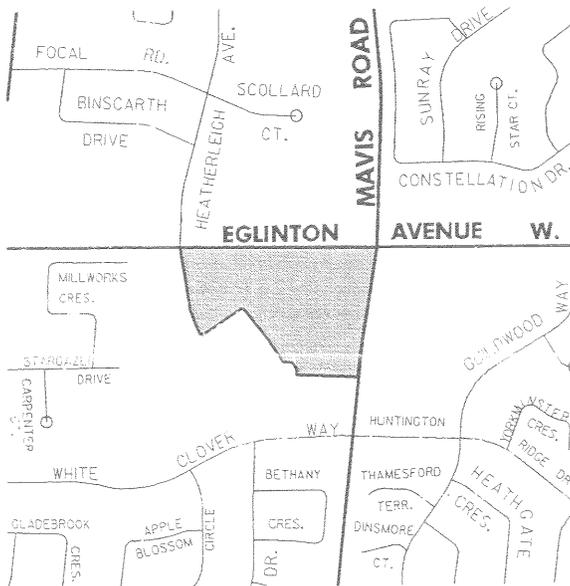
4.11.6.13 Site 12



The lands identified as Special Site 12 are located at the southwest corner of Eglinton Avenue West and Creditview Road.

Notwithstanding the provisions of the Residential High Density I designation, the maximum apartment building height will be twelve (12) storeys.

4.11.6.14 Site 13



The lands identified as Special Site 13 are located at the southwest corner of Eglinton Avenue West and Mavis Road.

Notwithstanding the provisions of the Residential High Density I designation, the maximum apartment building height will be sixteen (16) storeys.

6. Section 4.17.6.5.2 Special Site 4, Area 4A of the Lakeview District Policies of Mississauga Plan, is hereby amended by adding the following:

- b. the maximum apartment building height will be twelve (12) storeys.

7. Section 4.19.7.5 Special Site 4 of the Malton District Policies of Mississauga Plan, is hereby amended by deleting the second paragraph and replacing it with the following:

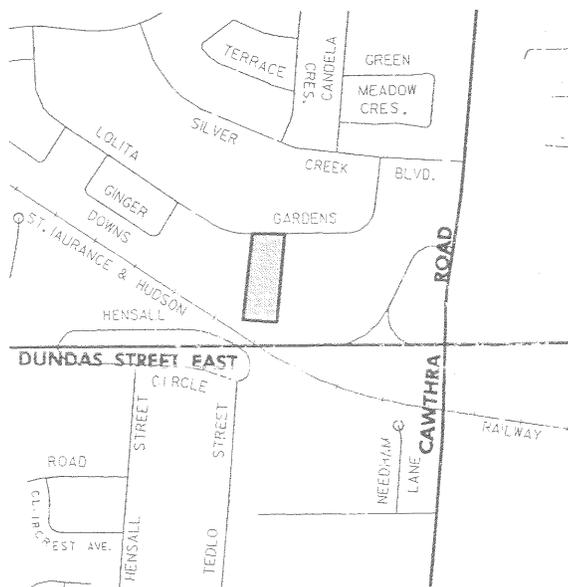
Notwithstanding the provisions of the Residential High Density II designation, the following additional policies will apply:

- a. a maximum Floor Space Index of 1.6 will be permitted;

- b. the maximum apartment building height will be seven (7) storeys.

8. Section 4.25.6, Special Site Policies of the Mississauga Valleys District Policies of Mississauga Plan, is hereby amended by adding the following special site policy:

4.25.6.4 Site 3



The lands identified as Special Site 3 are located north of Dundas Street East, west of Cawthra Road.

Notwithstanding the provisions of the Residential High Density I designation, the maximum apartment building height will be thirteen (13) storeys.

MOLDENHAUER

DEVELOPMENTS



By E-Mail and Regular Mail

March 19, 2007

Ms. Shalini Alleluia
 Committee Coordinator
 Planning and Development Committee
 Office of the City Clerk
 City of Mississauga
 3rd Floor,
 300 City Centre Drive
 Mississauga, ON.
 L5B 3C1

Re: Formal Public Meeting – March 19, 2007
 Planning and Development Committee
 Proposed Height Limitations for Vacant Sites Designated
 Residential High Density Outside the Urban Growth Centre
 City of Mississauga

Dear Ms. Alleluia,

As the Committee Coordinator of the Planning and Development Committee I am writing this letter to briefly summarize my concerns regarding the above noted report entitled “Proposed Height Limitations for Vacant Sites Designated Residential High Density Outside the Urban Growth Centre” that will be considered at a formal Public Meeting tonight. I have a fundamental concern with the approach being taken by the Planning and Building Department in which **all** parcels of land situated outside of the defined Urban Growth Centre will be limited to a maximum height of 4 storeys unless otherwise exempted. It is not appropriate in my opinion for a municipality to arbitrarily assign a maximum height restriction of four storeys on parcels of land that are strategically located to accommodate greater densities and corresponding heights greater than four storeys. Such an approach in my opinion will place many parcels of land within the City at a distinct disadvantage as the 4 storey height restriction will be in force and effect when future private Official Plan Amendment applications are formally submitted to the municipality for heights greater than 4 storeys. It is not possible for a private Official Plan Amendment application to be considered on its own planning merits when a maximum height has already been predetermined and placed in an Official Plan.

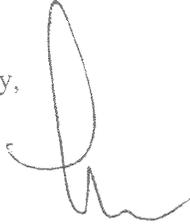
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MOLDENHAUER
D E V E L O P M E N T S



Since I am unavailable to attend the Planning & Development Committee Meeting tonight I trust that this letter of concern will be distributed to the members of the Planning & Development Committee before the meeting. I would appreciate receiving confirmation from your office that this letter will be distributed.

Sincerely,



Michael Moldenhauer
President
Moldenhauer Developments

cc. Mr. John Calvert, Planning and Building Department – by E-Mail Only
Ms. Marilyn Bacquie, Planning and Development Department – by E-Mail Only



THE ERIN MILLS DEVELOPMENT CORPORATION

City of Mississauga
Councillors' Office
300 City Centre Drive, 3rd Fl.
Mississauga, Ontario
L5B 3C1

February 5, 2007
FAX and MAIL

Attention: Mrs. Sue McFadden
Councillor Ward 10

Dear Mrs. McFadden:

**RE: Churchill Meadows District
Height Limitations – High Density Lands**

We understand that there is an item on the Agenda for today's Planning and Development Committee recommending that a Public Meeting be held to discuss setting height limitations for high-density sites in the City of Mississauga. We have high-density sites in Wards 8, 9 and 10 and apologize for not writing sooner as we were not advised of this Report until checking the City web site this morning.

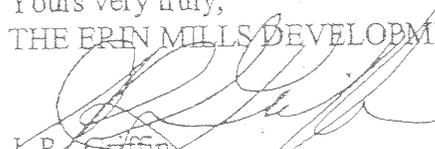
Many of our sites located within the Central Erin Mills *Node* are limited in density to 100 upa and will through the adoption and approval of this Report be governed by a 25storey height limitation. This maximum height is compatible to the apartment buildings that have been built and that we are planning to be built within this *Node* around the Erin Mills Town Centre.

Our high-density sites in Churchill Meadows are governed by the height restrictions in the District Plan and will remain unchanged through this process. There is one location however, noted as location A8 on Appendix 2 for which we have applied for an OPA to increase density to 100 upa. The Report mentions this site but under Comments limits the height to 16 storeys. We would ask that since this is a corner block, abutting the CEM *Node* and within walking distance of a proposed transitway station that the maximum height be increased to 25 storeys.

We trust that you would have no objection to this request and would appreciate if the Planning Department could incorporate the revision in the Report prior to the Public Meeting.

Yours very truly,

THE ERIN MILLS DEVELOPMENT CORPORATION


J. R. Griffin
General Manager

c.c. Diana Rusnov Planning, Manager c.c. John Calvert Director, Planning Policy

PDC - March 19 / 2007
 Item 5

Shalini Alleluia - Proposed Height Limitations for Vacant Sites Designated Residential High Density Outside The Urban Growth Centre

From: "Ka Yip Ng" <kayipng@hotmail.com>
To: <shalini.alleluia@mississauga.ca>
Date: 2007/03/15 12:37 AM
Subject: Proposed Height Limitations for Vacant Sites Designated Residential High Density Outside The Urban Growth Centre

Dear Sir or Madam:

After I read the Public Meeting Notice regarding Proposed Height Limitations for Vacant Sites Designated Residential High Density Outside The Urban Growth Centre, I am much concerned about the high density development leading to an negative impact to current road system, public transportation, education, health and community services. In addition, financial implication is one of important issue as well. If the city do not have any detail study and solution to those impacts caused by proposed development, I may object to this planning amendment.

Lack of Information

According to the proposed high density development, it is indicated the number of storeys of the building permitted in proposed development. It does not disclose the detail of development density, for example, limitation of number of units for each development. If the city permitted 10 units for each storey of the proposed high density residential development, it is estimated the total units was around 2,000. If the city permitted 15 units for each storey of those development, it is estimated the total unit was around 3,000. Therefore, in the proposal, it is not detail enough for providing a clear picture to the public about those developments.

Road System

I attended a public inquiry about road widening of Mavis Road from Eglinton to Matherson couple weeks ago. After discussed with City Engineer, from my understanding, they did not know the proposed high rise residential development around Eglinton Ave and Mavis Road. Furthermore, They explained to me that due to traffic jam taken place the above traffic road, so the road widening has been recommended. Their estimation of traffic flow has been based on the existing road condition exclusive of the traffic flow created by proposed development. If the new proposal was approved, it would increase the burden into existing road system and may cause a serious traffic jam on HWY 401 entrance/exit.

In addition, the new proposal development mainly concentrate along Eglinton Ave, it will increase the pressure to the current road system. Before rush hour, the traffic from Eglinton Ave (from West to East) and HWY 403 (from West to East) is very busy. Therefore, the new development may make the current traffic condition worst.

Public Transportation

First at all, Erindale GO train station, Streetville GO Train Station and Cookville GO Train Station is fully parked during business hour, illegal parking is always found in those parking lot. There is no additional parking lot to be available for new user. Even though GO is operated by Ontario Government, however, it is very important to the Mississauga resident who travel among Mississauga, Toronto and other GTA's city. Therefore, proposed new development will create a lot of new user for using GO Service, because the proposed development mainly concentrated along Eglinton Ave. In addition, a lot of new high density residential building is under construction inside the urban growth Centre. Those development will also cause a lot of pressure to existing GO services.

Square One Bus Terminal is located on the Centre of Urban Growth and major bus terminal of the city. However, there is no room for further expansion of Square One Terminal. Therefore, I am much concerned whether Square One bus terminal may absorb all new users from new proposal. Even the terminal may absorb the new users, on the other hand, it will create another problem, like too many bus get in/off from the terminal, it will create traffic jam around this areas.

Health

Creditview Hospital is serving the West of Mississauga. However, the new proposal high density will increase the pressure to the Creditview Hospital.

Education/Community Services

Mississauga has a rapid growth last 20 years. Most of land has been development. If the new developments were permitted, it would create a lot of users who used the school and community service. I do not know whether the city reserve the land for school and community services

Financial Implication

Who bear the cost of infrastructure and other services. I understand that all new development is subject to the payment of development charge. I would like to know whether the development charge could cover all cost incurred by the new development, like road widening, constructing infrastructure and so on. On the other hand, how much money may be shared by the resident of Mississauga if the new development approved.

Finally, please advise me if the proposed high density residential development was rejected, the high density residential may not be approved in those areas. Currently, the proposal is under public consultation, whether there is no high density residential development will be approved around those area in this moment. The above concern is very important to me. According to the proposal, Location G is recommended to be a 18 storey high rise building. It is found that around this location, a high rise building is under construction. I don't know whether the city has already approve this development in here.

Thank you for your kind attention.

Ka Yip Ng