
Planning and Development Committee

Date

2017/04/10

Time

7:00 PM

Location

Civic Centre, Council Chamber,
300 City Centre Drive, Mississauga, Ontario, L5B 3C1

Members

Councillor George Carlson	Ward 11 (Chair)
Mayor Bonnie Crombie	
Councillor Jim Tovey	Ward 1
Councillor Karen Ras	Ward 2
Councillor Chris Fonseca	Ward 3
Councillor John Kovac	Ward 4
Councillor Carolyn Parrish	Ward 5
Councillor Ron Starr	Ward 6
Councillor Nando Iannicca	Ward 7
Councillor Matt Mahoney	Ward 8
Councillor Pat Saito	Ward 9
Councillor Sue McFadden	Ward 10

Contact

Stephanie Smith, Legislative Coordinator, Legislative Services
905-615-3200 ext. 3795
stephanie.smith@mississauga.ca

Find it Online

<http://www.mississauga.ca/portal/cityhall/planninganddevelopment>

PUBLIC MEETING STATEMENT: In accordance with the *Ontario Planning Act*, if you do not make a verbal submission to the Committee or Council, or make a written submission prior to City Council making a decision on the proposal, you will not be entitled to appeal the decision of the City of Mississauga to the Ontario Municipal Board (OMB), and may not be added as a party to the hearing of an appeal before the OMB.

Send written submissions or request notification of future meetings to:

Mississauga City Council
c/o Planning and Building Department – 6th Floor
Att: Development Assistant
300 City Centre Drive, Mississauga, ON, L5B 3C1
Or Email: application.info@mississauga.ca

1. CALL TO ORDER
2. DECLARATION OF CONFLICT OF INTEREST
3. MINUTES OF PREVIOUS MEETINGS
4. MATTERS TO BE CONSIDERED
 - 4.1. **PUBLIC MEETING REPORT (WARD 7)**
Application to permit a 28 storey, 282 unit apartment building
45 Agnes Street
Northeast corner of Cook Street and Agnes Street
Owner: Eminence Living Inc.
File: OZ 13/017
 - 4.2. **INFORMATION REPORT (ALL WARDS)**
Tower Renewal Partnership Project
File: CD.06.TOW
 - 4.3. **RECOMMENDATION REPORT (WARDS 4 and 7)**
Downtown Community Improvement Plan
File: CD.04.COM
5. ADJOURNMENT

City of Mississauga

Corporate Report



Date: March 17, 2017

To: Chair and Members of Planning and Development Committee

From: Edward R. Sajecki, Commissioner of Planning and Building

Originator's file:

OZ 13/017 W7

Meeting date:
2017/04/10

RECOMMENDATION REPORT (WARD 7)

Applications to permit a 28-storey, 282 unit apartment building

45 Agnes Street

Northeast corner of Cook Street and Agnes Street

Owner: Eminence Living Inc.

File: OZ 13/017 W7

Recommendation

1. That the applications under File OZ 13/017 W7, 45 Agnes Street to amend Mississauga Official Plan to **Residential High Density – Special Site 3 (amended)** and to change the zoning to **RA4-27 (Apartment Dwellings – Exception, amended)** to permit a 28-storey, 282 unit residential apartment building with a maximum floor space index (FSI) of 7.5 in accordance with the proposed zoning standards, be approved subject to the conditions referenced in the staff report.
2. That the applicant agrees to satisfy all the requirements of the City and any other external agency concerned with the development.
3. That the decision of Council on the rezoning application be considered null and void, and a new development application be required unless a zoning by-law is passed within 18 months of the Council decision.
4. Notwithstanding subsection 45.1.3 of the *Planning Act*, subsequent to Council approval of the development application, the applicant can apply for a minor variance application, provided that the height and FSI shall remain the same.

Report Highlights

- Comments were received from the public regarding traffic and the appropriateness of the proposal within the existing residential context
- Minor revisions have been made to the proposal and additional studies have been submitted and reviewed since the public meeting
- Staff are satisfied with the changes to the proposal and find it to be acceptable from a planning standpoint, and recommend that the applications be approved

Background

A public meeting was held by the Planning and Development Committee on June 23, 2014, at which time an Information Report (Appendix 1) was received for information. Recommendation PDC-0054-2014 was then adopted by Council on July 2, 2014:

That the Report dated June 3, 2014, from the Commissioner of Planning and Building regarding the applications to amend the Mississauga Official Plan policies for the Downtown Cooksville Character Area from "Residential High Density-Special Site 3" to "Residential High Density- Special Site" and to change the Zoning from "RA4-27"(Apartment Dwellings) to "RA4-Exception" (Apartment Dwellings-Exception) to permit a 28 storey, 260 unit apartment building under File OZ 13/017 W7, Eminence Living Inc., 45 Agnes Street, be received for information.

Given the amount of time since the public meeting, full notification was provided in accordance with the *Planning Act*.

Comments

REVISED DEVELOPMENT PROPOSAL

The applicant has been addressing the issues raised by staff through the technical review and by the community at the Councillor meeting held on June 18, 2014 and the public meeting held on June 23, 2014.

On May 3, 2016, the applicant submitted a revised development proposal along with supporting documents to the City for review, including a revised Functional Servicing Report, revised traffic study and a revised sun/shadow study. The applicant has made some minor modifications to the proposed concept plan including:

- The number of units increased from 260 to 282
- FSI increased from 7.0 to 7.5
- The commercial area decreased from 865 m² (9,310.78 ft²) to 518.4 m² (5,580 ft²)
- The number of underground parking levels increased from 4 levels to 5 levels
- The total number of parking spaces increased to 349 spaces, where 341 spaces are required

Planning and Development Committee	2017/03/17	3
------------------------------------	------------	---

Originator's file: OZ 13/017 W7

- A temporary access to 43 Agnes Street will be provided through TL Kennedy Secondary School during construction
- A temporary realigned access will also be provided to 25 Agnes Street during construction

The existing layout of the site in relation to adjacent properties has been provided in Appendix 2.

COMMUNITY COMMENTS

Issues were identified by residents through written correspondence to the City and through verbal comments made at the June 18, 2014 Councillor meeting and from the June 23, 2014 public meeting.

Comment

Concerns were raised by the Peel Standard Condominium Corporation No. 395 (PCC 395) located at 25 Agnes Street requesting:

- that the six visitor parking spaces proposed on the east side of the driveway be relocated to the west side of the driveway to avoid internal traffic issues and to improve the off center intersection with the parking lot access on the south side of Agnes Street (see Appendix 3)
- that conflicts with internal truck turning radii be addressed

Response

The Transportation and Works Department has reviewed the issues and are satisfied with the proposed location of the visitor spaces located on the east side of the driveway. No impact to internal traffic is anticipated with the visitor parking as proposed on the east side. Currently, the existing driveway (closed out Cyrus Street) is located "off" centre with the driveway on the south side of Agnes Street. The realignment as proposed by Eminence Living Inc. will eliminate the skewed intersection by moving the driveway for the subject lands to the west. The proposed internal truck turning radii is sufficient to accommodate on-site trucks.

Comment

Concerns were raised regarding the volume of traffic being generated by this site and the impact on Cook and Agnes Streets.

Response

Comments received by the Transportation and Works Department on the Traffic Impact Study advise that the proposed development will not have a detrimental traffic impact on the abutting streets. During construction, access to the townhomes located north of the subject lands (43 Agnes Street) will be limited to a driveway connection through TL Kennedy Secondary School (see Appendix 4). For the apartment building located at 25 Agnes Street, a temporary realigned access from Agnes Street will also be required during construction (see Appendix 5).

Comment

Concerns were raised that the proposed 28-storey apartment building will block views to the south from the existing townhome development.

Response

Under the *Planning Act*, views cannot be protected. Development and Design staff has reviewed the concern of privacy from the proposed development on the abutting townhome units, and the proposed setback of 5.6 metres (18.4 ft.) from the proposed podium to the townhome units provides adequate separation for privacy.

Comment

Concerns were raised about the height of the building.

Response

The issue of height will be addressed in the Planning Comments section of this report.

UPDATED AGENCY AND CITY DEPARTMENT COMMENTS**Transportation and Works**

Comments updated February 3, 2017, request that the applicant enter into an agreement with the Peel District School Board for temporary access for the residents of 43 Agnes Street through the TL Kennedy Secondary School site to Cook Street during construction.

The School Board has confirmed that they have entered into a temporary access agreement with the applicant. Appendix 4 shows the proposed temporary road alignment through TL Kennedy Secondary School.

Region of Peel

In comments updated November 2016, the Region of Peel has advised that there is adequate capacity in the existing 400 mm (15.75 in.) watermain located on Agnes Street and 150 mm (5.9 in.) watermain located on Cook Street and an existing 250 mm (7.87 in.) sanitary sewer located on Agnes and Cook Streets to accommodate this development proposal.

Urban Design

A revised shadow study was prepared by Icon Architects dated January 27, 2017 which indicated that the proposed shadow will not meet the City's current criteria for producing additional shadow impacts. The proposed 28-storey building will introduce additional shadow impact on the private amenity areas (rear yards) of the existing townhomes to the north and east for an additional one hour during the June 21 and September 21 solstices.

The current by-law permits a 13 storey slab building on the vacant parcel of land, which also would not meet the City's standards for shadow studies over the same private amenity areas (rear yards). The change in building form from a slab building to a point tower that steps back from a 3 storey podium has improved the shadow impact during some time periods.

The additional one hour shadows in June and September on the private amenity areas (rear yards) of the townhomes from the additional 15 stories is considered to have a marginal impact on the adjacent townhomes and therefore is acceptable.

PLANNING COMMENTS

Provincial Policy Statement (PPS) and Growth Plan for the Greater Golden Horseshoe

The *Provincial Policy Statement* (PPS) contains the Province's policies concerning land use planning for Ontario. All planning decisions are required to be consistent with these policies. The PPS encourages intensification of land within urban areas, promotes efficient use of infrastructure and public facilities, and encourages mixed use developments and the support of public transit.

The *Provincial Growth Plan for the Greater Golden Horseshoe* (Growth Plan) directs municipalities to "identify the appropriate type and scale of development in intensification areas". It states that intensification areas will be planned and designed to "achieve an appropriate transition of built form to adjacent areas". The PPS and Growth Plan indicate that development must be governed by appropriate standards including density and scale. These policies are implemented through Mississauga's Official Plan (MOP).

The proposed development adequately takes into account the existing context and does provide an appropriate transition of built form to adjacent areas as referenced in the Official Plan section below.

Official Plan

The proposal requires an amendment to the **Residential High Density – Special Site 3** policies of the MOP for the Downtown Cooksville Character Area to permit a 28-storey residential apartment building with a FSI of 7.5.

Section 19.5.1 of Mississauga Official Plan provides the following criteria for evaluating site specific Official Plan Amendments:

- ***Will the proposal adversely impact or destabilize the overall intent, goals and objectives of the Official Plan; and the development or functioning of the remaining lands which have the same designation, or neighbouring lands?***

- ***Are the lands suitable for the proposed uses, and are the proposed land uses compatible with existing and future uses of the surrounding lands?***
- ***Are there adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed application?***
- ***Has a planning rationale with reference to Mississauga Official Plan policies, other relevant policies, good planning principles and the merits of the proposed amendment in comparison with the existing designation been provided by the applicant?***

Planning staff have undertaken an evaluation of the criteria against this proposed development application. The proposal is consistent with the overall intent, goals and objectives of Mississauga Official Plan.

The proposal meets:

- the intent of the current Residential High Density official plan designation as the lands are located within the Downtown Cooksville Character Area, an area designated for a high level of urban design, pedestrian and transit supportive development and a significant amount of mixed uses. The site is located within the Cooksville Mobility Hub area which is centered around the Cooksville Go Station and is in proximity to the Hurontario Light Rail Transit (HLRT), which provides further support for additional height and density
- the general provisions of MOP for areas designated Residential High Density envision a maximum height of 25 storeys outside of the Downtown Core, but additional height can be considered where the City Structure hierarchy is maintained and the development proposal enhances existing or planned development (See Appendix 6 for the proposed elevations of the apartment building)

Community Infrastructure

The site is located within 600 m (1,969 ft.) of the Cooksville Go Station and the nearest Hurontario Light Rail Transit will be located at the south side of Dundas Street at Hurontario Street. The City is also in the process of undertaking an Environmental Assessment for Dundas Street, an intensification corridor. The study entitled Dundas Connects will identify additional transit improvements on Dundas Street, which may benefit the residents in this neighbourhood, including a future Bus Rapid Transit or Light Rail Transit. Existing transit service on Hurontario Street and Dundas Street are adequate to serve the development.

Community Services has advised that there is adequate capacity in the surrounding parks to accommodate the additional population. Sgt. David Yakichuk Park is located 450 m (1,312 ft.) from 45 Agnes Street. The site is also located adjacent to TL Kennedy Secondary School, which provides on-site community activities.

The Region has advised that there is adequate water and sanitary to accommodate this proposed development.

Built Form

The proposed built form includes a three storey podium stepping up to the 28 storey tower providing a transition to surrounding lower density residential uses. A 5.6 metre (18.4 ft.) setback has been provided from the proposed podium to the existing townhomes to the north. The same setback and podium is provided at the westerly property boundary to provide an appropriate transition to the single detached dwellings on the west side of Cook Street.

Consideration was also given for the overall massing and scale of the proposed building, to integrate and relate appropriately with surrounding development. The inclusion of retail commercial uses along Agnes Street enhances a mixed use, pedestrian and transit supportive development.

The applicant has provided additional planning rationale to justify the additional density.

Zoning

The proposed changes to the **RA4-27 (Apartment Dwellings-Exception, amended)** zone are appropriate to accommodate the 28-storey, 282 unit apartment building and 518.4 m² (5,580 ft²) of ground floor retail commercial uses. A revised exception schedule will be included with the implementing Zoning By-law. Appendix 7 provides an update to the proposed zoning standards that were originally submitted. The applicant is requesting a reduction in parking from has requested

Bonus Zoning

Council adopted Corporate Policy and Procedure 07-03-01 – Bonus Zoning on September 26, 2012. In accordance with Section 37 of the *Planning Act* and policies contained in the Official Plan, this policy enables the City to secure community benefits when increases in permitted height and/or density are deemed to be good planning by Council through the approval of a development application. Should these applications be approved by Council, staff will hold discussions with the applicant to secure community benefits and return to Council with a Section 37 report outlining the recommended benefits and corresponding contribution amount.

Site Plan

Prior to development of the lands, the applicant will be required to obtain Site Plan approval. No site plan application has been submitted to date for the proposed development. While the applicant has worked with City departments to address many site plan related issues through the review of a concept plan, further revisions will be needed to address matters such as architectural elements, site improvements and streetscaping.

Green Development Initiatives

The applicant has identified that the following green development initiatives will be incorporated into the development:

- Secure Bicycle parking and weather protected occupant bicycle parking
- Ground level ventilation grates have a porosity of less than 2cm x 2cm
- Garage room tri-sorter compactor in the building

Financial Impact

Development charges will be payable in keeping with the requirements of the Development Charges By-law of the City. Also, the financial requirements of any other commenting agency must be met.

Conclusion

The proposed Official Plan Amendment and Rezoning applications are acceptable from a planning standpoint and should be approved for the following reasons:

1. The proposed 28-storey residential apartment building with ground floor commercial uses is compatible with the surrounding land uses and it achieves an appropriate massing, transition and setback to adjacent uses.
2. Additional height and density can be supported because the subject lands are located within the Hurontario/Main Street Corridor and Cooksville Mobility Hub Master Plans areas which support higher density in proximity to the Hurontario Light Rail Transit (HRLT) corridor and the Go Station site.

Prior to the passage of the implementing official plan amendment and zoning by-law by Council, the applicant will be required to execute a Section 37 agreement to the satisfaction of the City.

Attachments

Appendix 1: Information Report

Appendix 2: Existing Conditions, 45 Agnes Street, 43 Agnes Street and 25 Agnes Street

Appendix 3: Site Plan

Appendix 4: Temporary Access Driveway – (closed out Cyrus Street) and Cook Street to TL
Kennedy Secondary School

Appendix 5: Temporary Road Access – (closed out Cyrus Street) to 25 Agnes Street

Appendix 6: Elevations

Appendix 7: Updated Zoning Standards



Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: Michael Hynes, Development Planner



Corporate Report

Clerk's Files

Originator's

Files **OZ 13/017 W7**
PDC JUN 23 2014

DATE: June 3, 2014

TO: Chair and Members of Planning and Development Committee
Meeting Date: June 23, 2014

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Official Plan Amendment and Rezoning Applications
To permit a 28 storey, 260 unit apartment building
45 Agnes Street
Northeast corner of Cook Street and Agnes Street,
west of Hurontario Street
Owner: Eminence Living Inc.
Applicant: Ruth Victor Associates
Bill 51

Public Meeting **Ward 7**

RECOMMENDATION: That the Report dated June 3, 2014, from the Commissioner of Planning and Building regarding the application to amend the Mississauga Official Plan policies for the Downtown Cooksville Character Area from "Residential High Density – Special Site 3" to "Residential High Density – Special Site" and to change the Zoning from "RA4-27" (Apartment Dwellings) to "RA4-Exception" (Apartment Dwellings-Exception) to permit a 28 storey, 260 unit apartment building under File OZ 13/017 W7, Eminence Living Inc., 45 Agnes Street, be received for information.

**REPORT
HIGHLIGHTS:**

- These applications are to permit a 28 storey, 260 unit apartment building on a vacant parcel of land;
- The applications are located within the Downtown Cooksville Character Area;
- Comments from the June 18, 2014 community meeting and the June 23, 2014 Planning and Development Committee meeting will be considered in the evaluation of the applications as part of the Supplementary Report; and
- Prior to the Supplementary Report, matters to be addressed include: proposed intensification of the site; height; density; built form and massing; traffic; privacy and overlook; shadow impacts on adjacent land uses; and stormwater management.

BACKGROUND:

The above-noted applications have been circulated for technical comments and a community meeting will be held on June 18, 2014. The purpose of this report is to provide preliminary information on the applications and to seek comments from the community.

The subject property is a vacant parcel of land at the northeast corner of Agnes Street and Cook Street, which was part of a larger site that went through a previous rezoning to permit a 13-storey, 121 unit apartment building and the existing three storey condominium townhouses (27 units) located to the north of the vacant property.

The applicant is proposing a 28 storey, 260 unit apartment building with approximately 865 m² (9,312 sq. ft.) of ground level retail space. A total of 342 parking spaces on four underground levels, and ten visitor and commercial surface parking spaces are proposed toward the eastern edge of the property. The previous proposal had both access and loading from Cyrus Street which is a private road. It is now proposed that vehicular access be from Cook Street while retaining loading from Cyrus Street which also provides access to the existing townhouses to the north (see Appendix I-6).

COMMENTS:

Details of the proposal are as follows:

Development Proposal	
Application(s) submitted:	November 15, 2013 December 5, 2013 (deemed complete)
Height:	28 storeys (92 m/302 ft.)
Lot Coverage:	48 %
Floor Space Index (FSI):	7.06
Landscaped Area:	24 %
Gross Floor Area:	Residential: 22 167.8 m ² (238,612 sq. ft.) Commercial: 865 m ² (9 312 sq. ft.)
Number of units:	260 units
Anticipated Population:	650 people *Average household sizes for all units (by type) for the year 2011 (city average) based on the 2013 Growth Forecasts for the City of Mississauga.
Parking Required:	427 parking spaces
Parking Provided:	342 parking spaces underground 10 parking spaces surface, shared visitor and commercial parking
Supporting Documents:	Planning Justification Report Micro Climate Analysis Noise Control Feasibility Study Urban Design Brief Sun/Shadow/Wind Study Phase 1 Environmental Site Assessment Geotechnical Study Traffic Impact Study Functional Servicing Report Community Infrastructure Impact Study
Site Characteristics	
Frontage:	77.12 m (253 ft.)
Depth:	47.52 m (155.9 ft.)
Net Lot Area:	0.32 hectares (0.8 acres)
Existing Use:	Vacant parcel of land

Additional information is provided in Appendices I-1 to I-12.

Green Development Initiatives

The applicant has identified several green development initiatives that will be incorporated into the development, including: on-site sediment control measures; a green roof covering 75% of the roof area; pedestrian specific lighting; and secured weather protected bicycle parking.

Neighbourhood Context

The subject property is located one block north and west of the major intersection of Dundas Street and Hurontario Street within the Cooksville neighbourhood, a well-established, mixed use area centered around the four corners with a strong sense of place, urban village and main street character. The existing active, mixed use buildings and highly pedestrianized area reinforces the distinctive image of this area.

Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

- North: Three storey townhouses and further north is TL Kennedy Secondary School;
- East: A 13 storey, seniors apartment building with commercial uses on the ground floor;
- South: Surface private parking lot; and
- West: Detached dwellings.

Mississauga Official Plan Designation and Policies for the Downtown Cooksville Character Area.

The subject property is located in the Downtown Cooksville Character Area and is designated "**Residential High Density**" (see Appendix I-3), which permits a maximum building height of 25 storeys and an FSI of 1.8.

The site is also subject to "Special Site 3" policies, which permits a maximum of 121 apartment units; a maximum height of 13 storeys; and a maximum of 27 condominium townhouse units.

Development is intended to be generally consistent in its massing and scale within the Character Area with use of taller more prominent buildings to be located on the north side of Agnes Street away from the main street area.

Urban Design Policies

The urban design policies of Mississauga Official Plan (MOP) require that building, landscaping and site design are compatible with site conditions and will create appropriate transition to existing and planned development and establish visual and functional relationships between individual buildings, groups of buildings and open spaces. These elements should also address the effects of additional noise, unattractive views, other negative impacts and will buffer adjacent land uses.

Other relevant policies in the MOP that are applicable in the review of these applications, are found in Appendix I-11.

Criteria for Site Specific Official Plan Amendments

Policy 19.5.1 of Mississauga Official Plan contains criteria that require an applicant to submit satisfactory planning reports to demonstrate the rationale for the proposed amendment as follows:

- that the proposal would not adversely impact or destabilize the following: the overall intent, goals and objectives of the Official Plan; and the development and functioning of the remaining lands which have the same designation, or neighbouring lands;
- that the lands are suitable for the proposed uses, and compatible with existing and future uses of surrounding lands; and

- that there are adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed application.

Hurontario/Main Street Corridor Master Plan

The Hurontario/Main Street Corridor Master Plan Study (2010) identifies the area north of Agnes Street and west of Hurontario Street as being suitable for higher density residential buildings, up to 25 storeys in keeping with the existing character of the area.

Proposed Official Plan Designation and Policies for the Downtown Cooksville Character Area

To amend the existing "Residential High Density- Special Site 3" policies to permit an apartment building with a height of 28 storeys.

Existing Zoning

"RA4-27" (Apartment Dwellings-Exception), which permits apartment dwellings in addition to other uses including long-term care dwellings, retirement dwellings and townhouses. The site specific zoning is the result of a previous approval for an integrated townhouse and apartment building development, which permits up to 121 apartment units with a maximum building height of 13 storeys. The maximum number of townhouse dwelling units is 27, which have been constructed (see Appendix I-10).

Proposed Zoning By-law Amendment

"RA4-Exception" (Apartment Dwellings-Exception) to permit, in addition to the existing townhouses the following:

- one apartment building containing 260 units;
- maximum height of 28 storeys;
- floor space index (FSI) of 7.06;
- 865.1 m² (9,312 sq. ft.) of retail;
- minimum landscape area of 263 m² (2,831 sq. ft.) at grade;

- minimum outdoor amenity space at 713 m² (7,674 sq. ft.).

A complete list of proposed zoning standards are identified in Appendix I-10 attached to this report.

Bonus Zoning

On September 26, 2012, Council adopted Corporate Policy and Procedure 07-03-01 – Bonus Zoning. In accordance with Section 37 of the *Planning Act* and policies contained in the Official Plan, this policy enables the City to secure community benefits when increases in permitted height and/or density are deemed to be good planning by Council through the approval of a development application. Should these applications be approved in principle by Council, staff will report back to Planning and Development Committee on the provision of community benefits as a condition of approval.

COMMUNITY ISSUES

A community meeting is scheduled to be held by the Ward 7 Councillor, Nando Iannicca, on June 18, 2014. The community comments from this meeting and the comments raised during the Planning and Development Committee will be considered in the evaluation of the applications and will be addressed as part of the Supplementary Report.

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-8 and school accommodation information is contained in Appendix I-9. Based on the comments received and the applicable Mississauga Official Plan policies, the following matters will have to be addressed prior to the Supplementary Report:

- proposed urban design including massing and public realm;
- appropriate height and density;
- shadow and privacy on abutting properties;

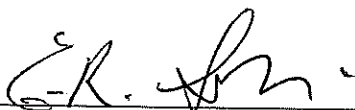
- traffic and access concerns from Agnes and Cook Streets, and from the private road for the existing townhouses to the north;
- the proposed number of parking spaces;
- compliance with the existing servicing agreement under File OZ-96/30 W7; and
- servicing and storm water management.

FINANCIAL IMPACT: Development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City as well as financial requirements of any other official agency concerned with the development of the lands.

CONCLUSION: Most agency and City department comments have been received and after the public meeting has been held and all issues are resolved, the Planning and Building Department will be in a position to make a recommendation regarding these applications.

ATTACHMENTS:

- Appendix I-1: Site History
- Appendix I-2: Aerial Photograph
- Appendix I-3: Excerpt of Downtown Cooksville Character Area Map
- Appendix I-4: Excerpt of Existing Land Use Map
- Appendix I-5: Excerpt of Zoning Map
- Appendix I-6: Concept Plan
- Appendix I-7: Elevations
- Appendix I-8: Agency Comments
- Appendix I-9: School Accommodation
- Appendix I-10: Proposed Zoning Standards
- Appendix I-11: Mississauga Official Plan policies
- Appendix I-12: General Context Map



Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Michael Hynes, Development Planner

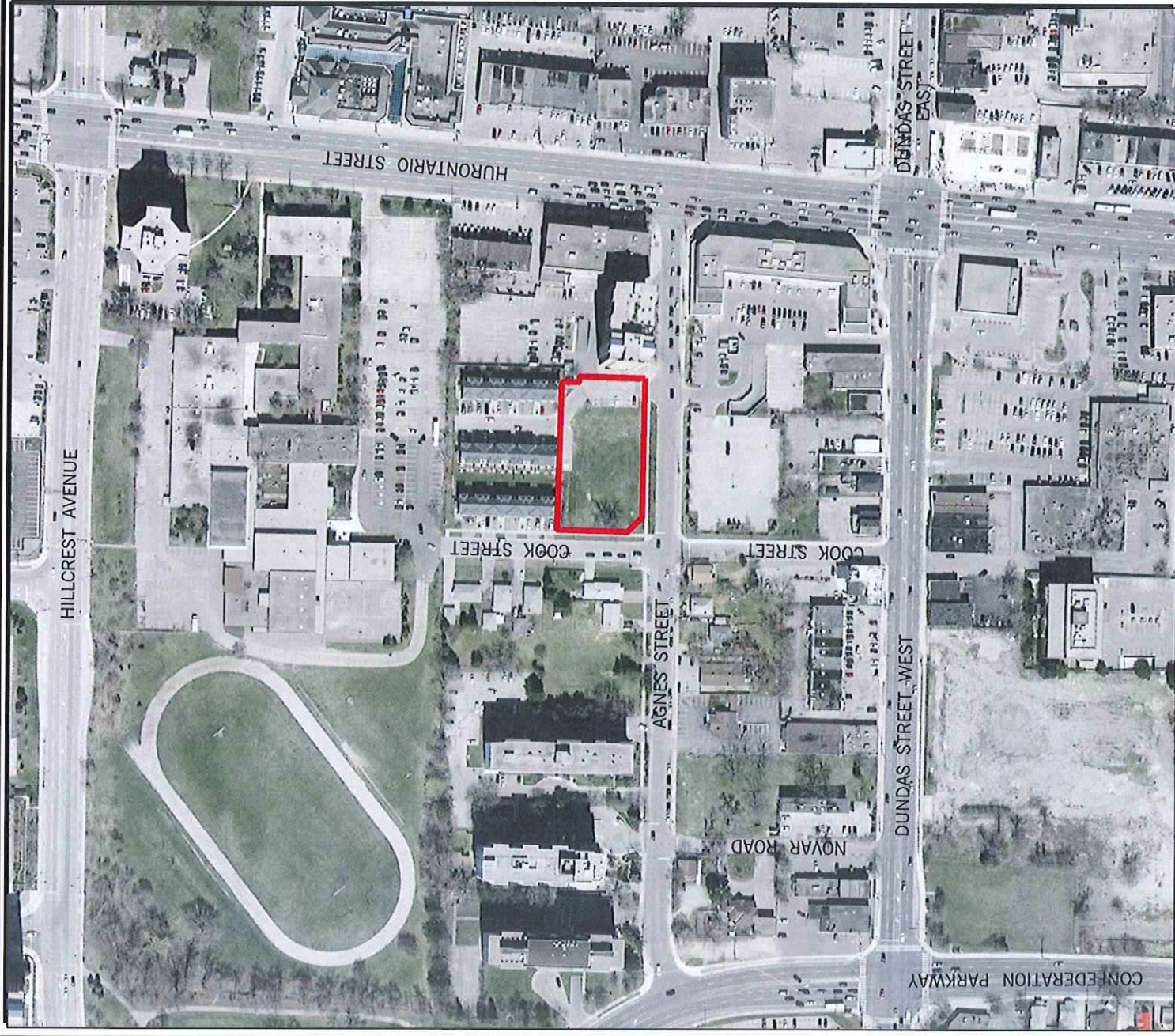


Eminence Living Inc.

File: OZ 13/017 W7

Site History

- September 15, 1997 – City Council adopted Resolution PDC-16-97 recommending approval of the rezoning application for the subject lands under File OZ-96/30 W7 to permit a maximum of 121 apartment units and 27 condominium townhouse units.
- May 5, 2003 – The Region of Peel approved Mississauga Plan policies for the Downtown Cooksville Character Area which designated the subject lands "Residential High Density"
- June 20, 2007- Zoning By-law 0225-2007 came into force, zoning the subject lands "RA4-27" (Apartment Dwellings - Exception).
- July 2010 – City Council endorsed the Hurontario/Main Street Corridor Master Plan.
- November 14, 2012 - Mississauga Official Plan came into force except for those site/policies which have been appealed. As no appeals have been filed, the policies of the new Mississauga Official Plan apply. The subject lands are designated "Residential High Density" in the Downtown Cooksville Character Area.



LEGEND:



SUBJECT LANDS

NOTE: DATE OF AERIAL PHOTO: 4 2013

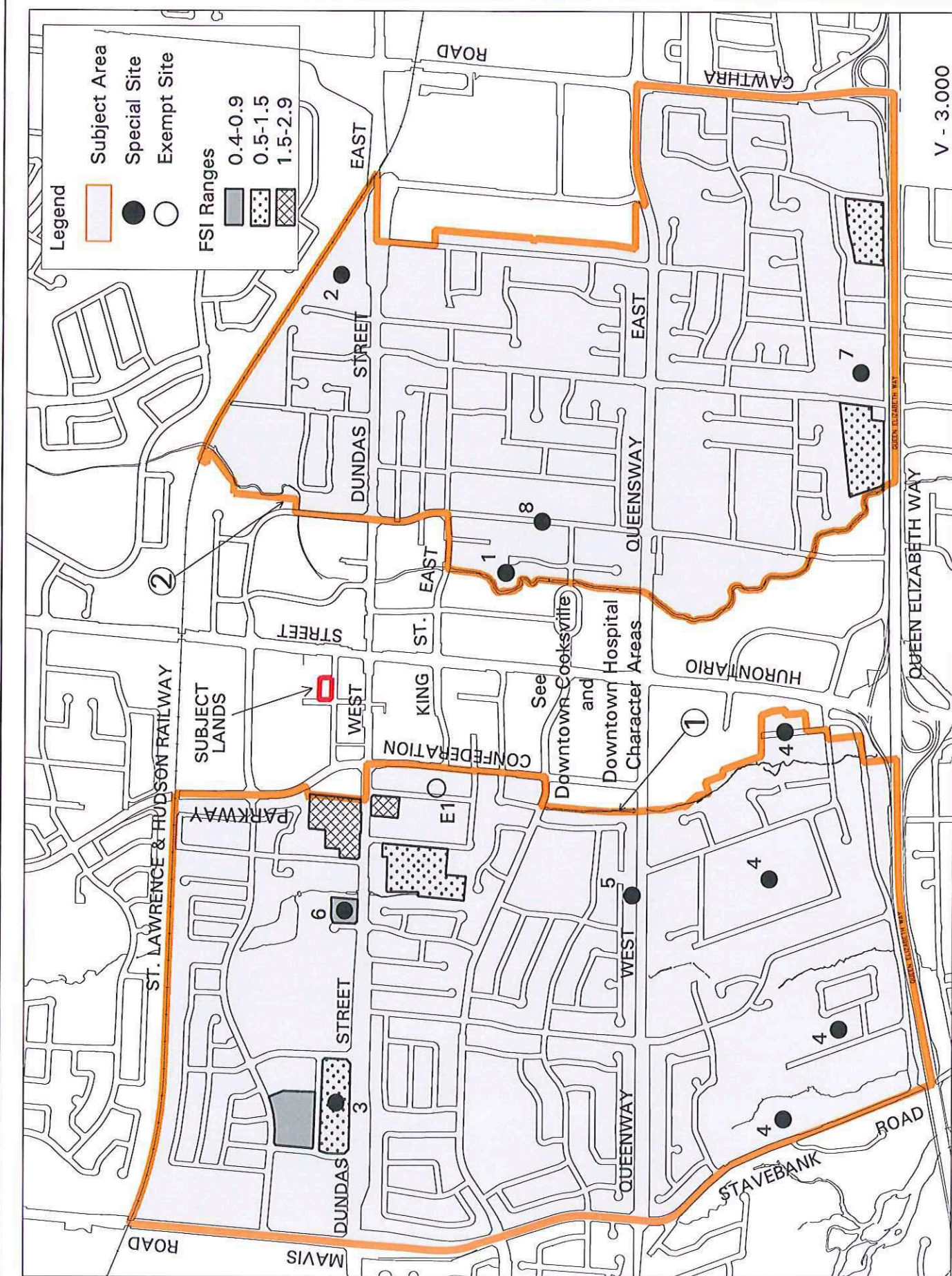


SUBJECT:

EMINENCE LIVING INC

FILE NO: OZ 13 017 W7		APPENDIX I-2	
DWG. NO: 13017A		DATE: 2014 06 23	
SCALE: 1:25000		DRAWN BY: B. KRUGER	
Produced by T&W, Geomatics			

MISSISSAUGA
Planning and Building



Map 16-6: Cooksville Neighbourhood Character Area

PART OF SCHEDULE 10 LAND USE DESIGNATIONS OF MISSISSAUGA OFFICIAL PLAN

LAND USE DESIGNATIONS

	Residential Low Density I		Business Employment
	Residential Low Density II		Industrial
	Residential Medium Density		Airport
	Residential High Density		Institutional
	Downtown Mixed Use		Public Open Space
	Downtown Core Commercial		Private Open Space
	Mixed Use		Greenbelt
	Convenience Commercial		Parkway Belt West
	Motor Vehicle Commercial		Utility
	Office		To Be Determined

LAND USE LEGEND

	Heritage Conservation District		Civic Centre (City Hall)
	1996 NEP2000 NEF		City CentreTransit Terminal
	Composite Noise Contours		GO Rail Transit Station
	LBPIA Operating Area Boundary		Public School
	See Aircraft Noise Policies		Catholic School
	Area Exempt from LBPIA Operating Area		Hospital
	Natural Hazards		Community Facilities

CITY STRUCTURE

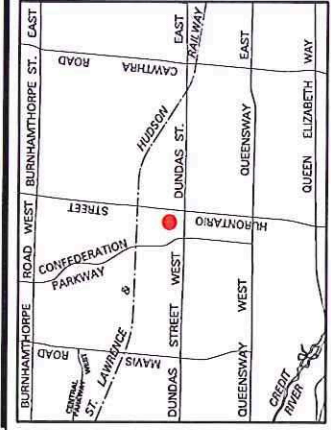
	Downtown		Corporate Centre
	Major Node		Employment Area
	Community Node		Special Purpose Area
	Neighbourhood		

ND2 Region of Peel Non-Decision

SUBJECT LANDS



SUBJECT: EMINENCE LIVING INC



FILE NO:

OZ 13 017 W7

DWG. NO:

13017L

SCALE:

1:25000

DATE:

2014 06 23

DRAWN BY:

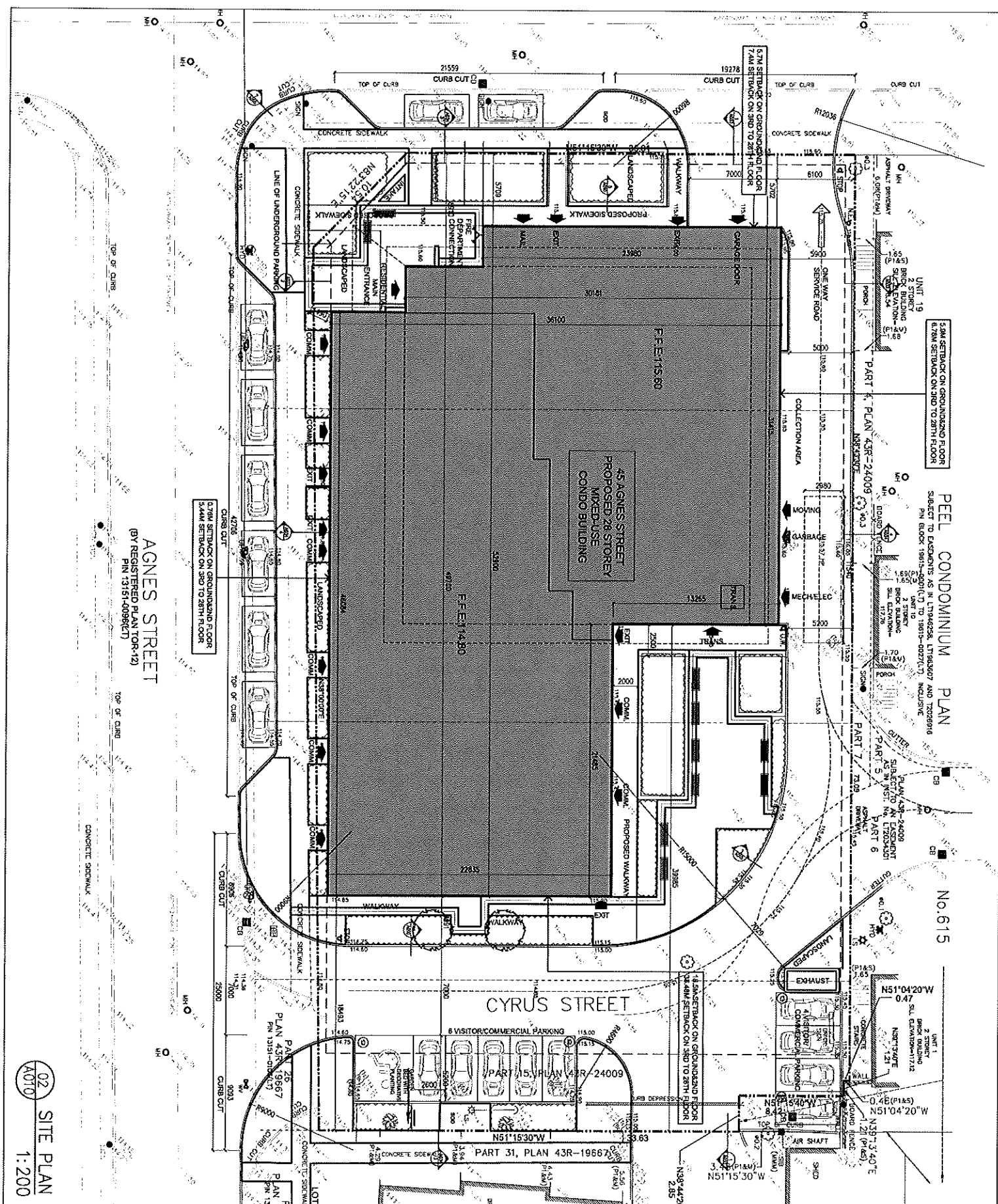
B. KRUGER

Produced by

T&W, Geomatics

APPENDIX I-4

MISSISSAUGA
Planning and Building



02
A051

1. All persons born in the United States are citizens of the United States.

2. All states have the right to elect electors to the electoral college.

3. Electors elect the President and Vice President.

4. The President and Vice President are elected for a term of four years.

5. The President and Vice President are elected by the electors.

6. The President and Vice President are elected by the people.

7. The President and Vice President are elected by the states.

8. The President and Vice President are elected by the Congress.

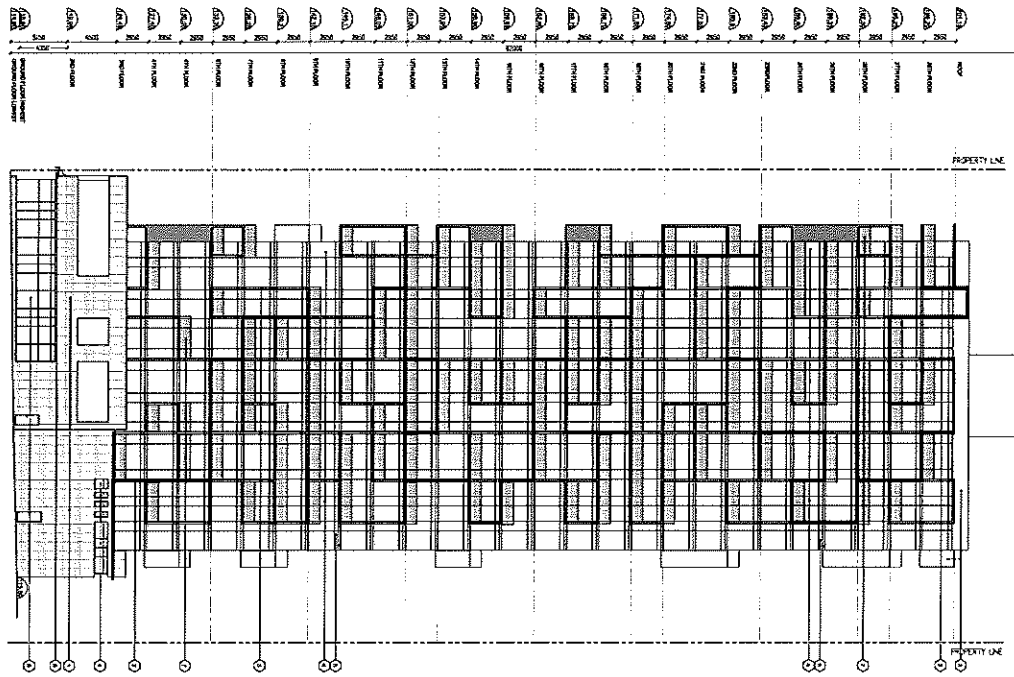
9. The President and Vice President are elected by the Supreme Court.

10. The President and Vice President are elected by the people.

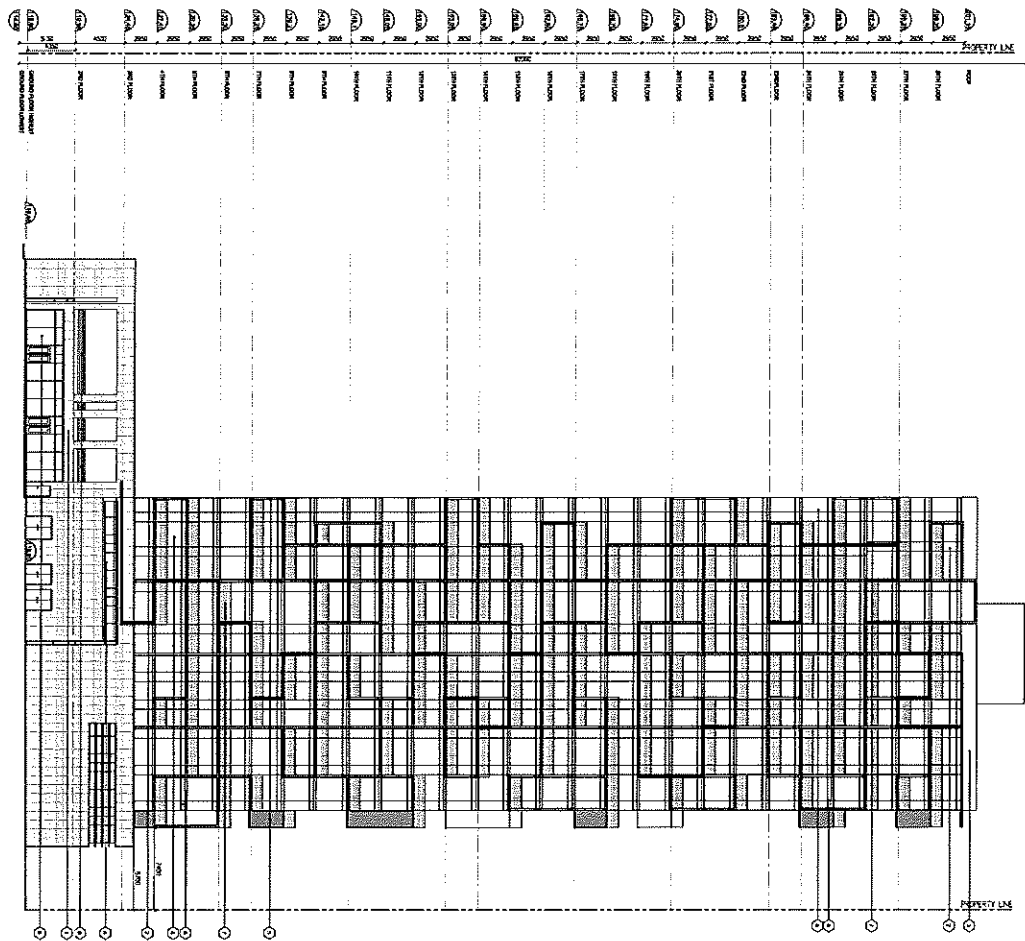
[illegible]

Number 11200 Date SEP, 09, 15 Project No. 12147	Drawing by DM Checked by RL Drawing No. A031
--	---

EAST ELEVATION



02 NORTH ELEVATION
7/11/77



THE UNIVERSITY OF MICHIGAN LIBRARY
300 N ZEEB RD
ANN ARBOR MI 48106-1500
TEL: 734 763 7000
WWW.LIBRARY.MICHIGAN.EDU

EXTERIOR MATERIALS LEGEND

- 1 STONE
- 2 ALUMINUM PANEL CLADDING
- 3 PAINTED EXPOSED CONCRETE
- 4 CLEAR GLAZING
- 5 SPANDREL PANEL
- 6 STORE FRONT WINDOWS
- 7 GLASS RAILING
- 8 GLASS CANOPY
- 9 RAILING

BOOK REVIEW

1. All students shall be of good reputation.
2. All work submitted to the Faculty shall be original, and shall not be copied or plagiarized.
3. Each student shall be responsible for his or her own work.
4. All work submitted to the Faculty shall be of high quality and shall be of high academic level. Each student shall be responsible for his or her own work.

[illegible][illegible]

**PROJECT: PROPOSED 28 STOREY
MIXED USE CONDO BUILDING**
44 ADAMS STREET, MISSISSAUGA, ONTARIO

ICON

Architects Inc.
200-1000 SHEPPARD AVENUE EAST
MISSISSAUGA, ONTARIO L4X 1L3
Tel: 905.270.8888 Fax: 905.270.8889
www.iconarchitects.com

Scales 11200 Date: SEP. 09.13 Project No. 12147	Drawn by: DR Checked by: RE Drawing No. A032
--	---

Eminence Living Inc.**File: OZ 13/017 W7****Agency Comments**

The following is a summary of comments from agencies and departments regarding the applications.

Agency / Comment Date	Comment
Region of Peel (January 8, 2014)	<p>Private servicing easements may be required. This will be determined once the site servicing proposal is reviewed.</p> <p>Please be advised that all report requirements must be included in a comprehensive FSR and resubmitted for our review, modelling and feedback.</p>
Dufferin-Peel Catholic District School Board and the Peel District School Board (January 3, 2014)	<p>The Peel District School Board and the Dufferin-Peel Catholic District School Board responded that they are satisfied with the current provision of educational facilities for the catchment area and, as such, the school accommodation condition as required by City of Mississauga Council Resolution 152-98 pertaining to satisfactory arrangements regarding the adequate provision and distribution of educational facilities need not be applied for this development application.</p> <p>In addition, if approved, the Peel District and Dufferin-Peel Catholic District School Boards also require certain conditions to be added to applicable Servicing and Development Agreements and to any purchase and sale agreements.</p>
City Community Services Department – Parks and Forestry Division/Park Planning Section (January 15, 2014)	<p>In the event that the application is approved, the Community Services Department - Park Planning note the following conditions.</p> <p>"In comments dated January 15, 2014, this Department indicated that Sgt. David Yakichuk Park (P-263) is located approximately 250 m (820 ft.) from the subject site and contains a play site and, Brickyard Park (P-416) is approximately 370 m (1,214 ft.) from the site and contains two lit ball diamonds, a natural ice rink, a lit soccer field, a spray pad, two play sites, a parking lot, a washroom, toboggan hill, and lit pathways.</p>

Eminence Living Inc.

File: OZ 13/017 W7

Agency / Comment Date	Comment
	Prior to by-law enactment, a cash contribution for street planting will be required. Further, prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with City's Policies and By-laws."
City Transportation and Works Department	<p>In comments dated May 22, 2014 this department confirmed receipt of the Site Plan, Noise Feasibility Study, Geotechnical Report, Phase 1 Environmental Site Assessment, Traffic Study and a Functional Servicing Report in support of the rezoning application which are currently under review. Preliminary comments and conditions have been provided to the applicant indicating that notwithstanding the findings of these reports and drawings, additional technical details are required.</p> <p>Prior to a Supplementary Report proceeding to Council, the applicant has been requested to provide a complete Environmental Site Servicing Screening Questionnaire and Declaration (ESSQD) and a Letter of Reliance in support of the submitted Phase 1 Environmental Site Assessment.</p> <p>Additional information has also been requested concerning the proposed temporary access arrangements and fire routes necessary to accommodate the adjacent condominium PCC-615 immediately to the north while the proposed development under construction. These proposed interim access arrangements will require the approval of the Peel District School Board. We have also requested that the owner make satisfactory arrangements with Fire and the Region of Peel for the temporary and ultimate internal circulation required in support of this development.</p>
Other City Departments and External Agencies	<p>The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner:</p> <p>Canada Post Fire Prevention, Community Services Division Enersource</p>

Eminence Living Inc.**File: OZ 13/017 W7**

Agency / Comment Date	Comment
	Bell Canada
	<p>The following City Department and external agencies were circulated the applications but provided no comments:</p> <p>Go Transit CP Rail Trillium Health Partners Rogers Cable Mississauga Transit Heritage Planning, Culture Division, Community Services Department</p>

Eminence Living Inc.

File: OZ 13/017 W7

School Accommodation

The Peel District School Board	The Dufferin-Peel Catholic District School Board																																								
<ul style="list-style-type: none"> Student Yield: <table> <tr> <td>29</td><td>Kindergarten to Grade 6</td></tr> <tr> <td>8</td><td>Grade 7 to Grade 8</td></tr> <tr> <td>8</td><td>Grade 9 to Grade 12/OAC</td></tr> </table> School Accommodation: <p>Cashmere Avenue Public School</p> <table> <tr> <td>Enrolment:</td><td>438</td></tr> <tr> <td>Capacity:</td><td>461</td></tr> <tr> <td>Portables:</td><td>0</td></tr> </table> <p>Queen Elizabeth Senior Public School</p> <table> <tr> <td>Enrolment:</td><td>355</td></tr> <tr> <td>Capacity:</td><td>262</td></tr> <tr> <td>Portables:</td><td>5</td></tr> </table> <p>T.L. Kennedy Secondary School</p> <table> <tr> <td>Enrolment:</td><td>662</td></tr> <tr> <td>Capacity:</td><td>1,263</td></tr> <tr> <td>Portables:</td><td>0</td></tr> </table> <p>* Note: Capacity reflects the Ministry of Education rated capacity, not the Board rated capacity, resulting in the requirement of portables.</p> 	29	Kindergarten to Grade 6	8	Grade 7 to Grade 8	8	Grade 9 to Grade 12/OAC	Enrolment:	438	Capacity:	461	Portables:	0	Enrolment:	355	Capacity:	262	Portables:	5	Enrolment:	662	Capacity:	1,263	Portables:	0	<ul style="list-style-type: none"> Student Yield: <table> <tr> <td>11</td><td>Junior Kindergarten to Grade 8</td></tr> <tr> <td>3</td><td>Grade 9 to Grade 12/OAC</td></tr> </table> School Accommodation: <p>Father Daniel Zanon</p> <table> <tr> <td>Enrolment:</td><td>440</td></tr> <tr> <td>Capacity:</td><td>440</td></tr> <tr> <td>Portables:</td><td>2</td></tr> </table> <p>Father Michael Goetz</p> <table> <tr> <td>Enrolment:</td><td>1558</td></tr> <tr> <td>Capacity:</td><td>1593</td></tr> <tr> <td>Portables:</td><td>0</td></tr> </table> 	11	Junior Kindergarten to Grade 8	3	Grade 9 to Grade 12/OAC	Enrolment:	440	Capacity:	440	Portables:	2	Enrolment:	1558	Capacity:	1593	Portables:	0
29	Kindergarten to Grade 6																																								
8	Grade 7 to Grade 8																																								
8	Grade 9 to Grade 12/OAC																																								
Enrolment:	438																																								
Capacity:	461																																								
Portables:	0																																								
Enrolment:	355																																								
Capacity:	262																																								
Portables:	5																																								
Enrolment:	662																																								
Capacity:	1,263																																								
Portables:	0																																								
11	Junior Kindergarten to Grade 8																																								
3	Grade 9 to Grade 12/OAC																																								
Enrolment:	440																																								
Capacity:	440																																								
Portables:	2																																								
Enrolment:	1558																																								
Capacity:	1593																																								
Portables:	0																																								

Appendix I-10

Eminence Living Inc.

File No.: OZ 13/017 W7

Proposed Zoning Standards

	"RA4-27" Regulations	Proposed "RA4-Exception"
Maximum Floor Space Index – Apartment Dwelling Zone	1.8	7.06
Maximum number of apartment dwelling units	121	260
Maximum height	13 storeys	28 storeys
Maximum projection of a balcony outside the buildable area	1.5 metres	1.5 metres
Maximum projection of a bay window outside the buildable area	0.3 metres	1.5 metres
Minimum landscaped area	45% of the lot area	24% of the lot area

Eminence Living Inc.

File No.: OZ 13/017 W7

Mississauga Official Plan Policies

There are numerous policies that would apply in reviewing this application to increase the FSI and density on the site. An overview of some of these policies are found below:

	Specific Policies	General Intent
Chapter 5 – Direct Growth	Policy 5.1.4, Policy 5.1.6, Section 5.3 Policy 5.3.1.2, Policy 5.3.1.3, Policy 5.3.1.4, Policy 5.3.1.8 Policy 5.3.1.9, Policy 5.3.1.10 Policy 5.3.1.11, Policy 5.3.1.12 Policy 5.3.1.13, Policy 5.4.12, Policy 5.5.8, Policy 5.5.9, Policy 5.5.12, Policy 5.5.14, Policy 5.5.15	The Mississauga Official Plan (MOP) will ensure that most of Mississauga's future growth will be directed to Intensification Areas and that the Downtown is an Intensification Area.
Chapter 9 – Build a Desirable Urban Form	Policy 9.2.1.2, Policy 9.2.1.3 Policy 9.2.1.4, Policy 9.2.1.6 Policy 9.2.1.7, Policy 9.2.1.9 Policy 9.2.1.11, Policy 9.2.1.12 Policy 9.2.1.13, Policy 9.2.1.14 Policy 9.2.1.15, Policy 9.2.1.16 Policy 9.2.1.17, Policy 9.2.1.20 Policy 9.2.1.22, Policy 9.2.1.24 Policy 9.2.1.25, Policy 9.2.1.26 Policy 9.2.1.27, Policy 9.2.1.28 Policy 9.2.1.29, Policy 9.2.1.30 Policy 9.2.1.31, Policy 9.2.1.33 Policy 9.3.3.2	The MOP will ensure that tall buildings will provide built form transitions to surrounding sites, be appropriately spaced to provide privacy and permit light and sky views, minimize adverse microclimatic impacts on the public realm and private amenity areas and incorporate podiums to mitigate pedestrian wind conditions.

Eminence Living Inc.

File No.: OZ 13/017 W7

	Specific Policies	General Intent
Chapter 9 (continued)	Policy 9.5.3 – Various policies	The MOP will ensure that tall buildings design and materials selected are fundamental to good urban form and are of the highest standards. Buildings will minimize undue physical and visual negative impacts relating to noise, sun, shadow, views, skyview and wind.
Chapter 12 Downtown	<p>Policy 12.1.2.2</p> <p>Section 12.4 Downtown Cooksville</p> <p>Policy 12.4.3.3.1</p> <p>Policy 12.4.3.3.2</p>	<p>Notwithstanding the Residential High Density policies of this Plan, the maximum building height for lands designated Residential High Density will not exceed 25 storeys.</p> <p>Special Site Policy 3 of the Downtown Cooksville policies of the Mississauga Official Plan ensures that development on this site will have a maximum of 121 apartment units and a maximum of 27 condominium townhouse units. The apartment building will not exceed 13 storeys.</p>
Other related policies	<p>Policies 9.3.1.4, 9.3.1.7, 9.3.1.8, 9.3.1.9 - Public Realm</p> <p>Policies 9.5.1, 9.5.1.1, 9.5.1.2, 9.5.1.3, 9.5.1.11, 9.5.1.12, 9.5.1.14 - Site Development and Buildings</p> <p>Policy 8.2.3.4 - Create a Multi-Modal City</p> <p>Policies 9.5.2.1, 9.5.2.2, 9.5.2.3, 9.5.2.5, 9.5.2.6, 9.5.2.11 - Site Development</p>	Built form policies with respect to the Public Realm, Site Development and Building provide direction on ensuring compatibility with existing built form, natural heritage features and creating an attractive and functional public realm.





COOK STREET

AGNES STREET

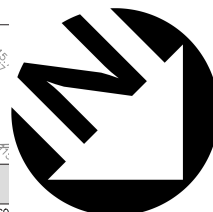
45 AGNES STREET

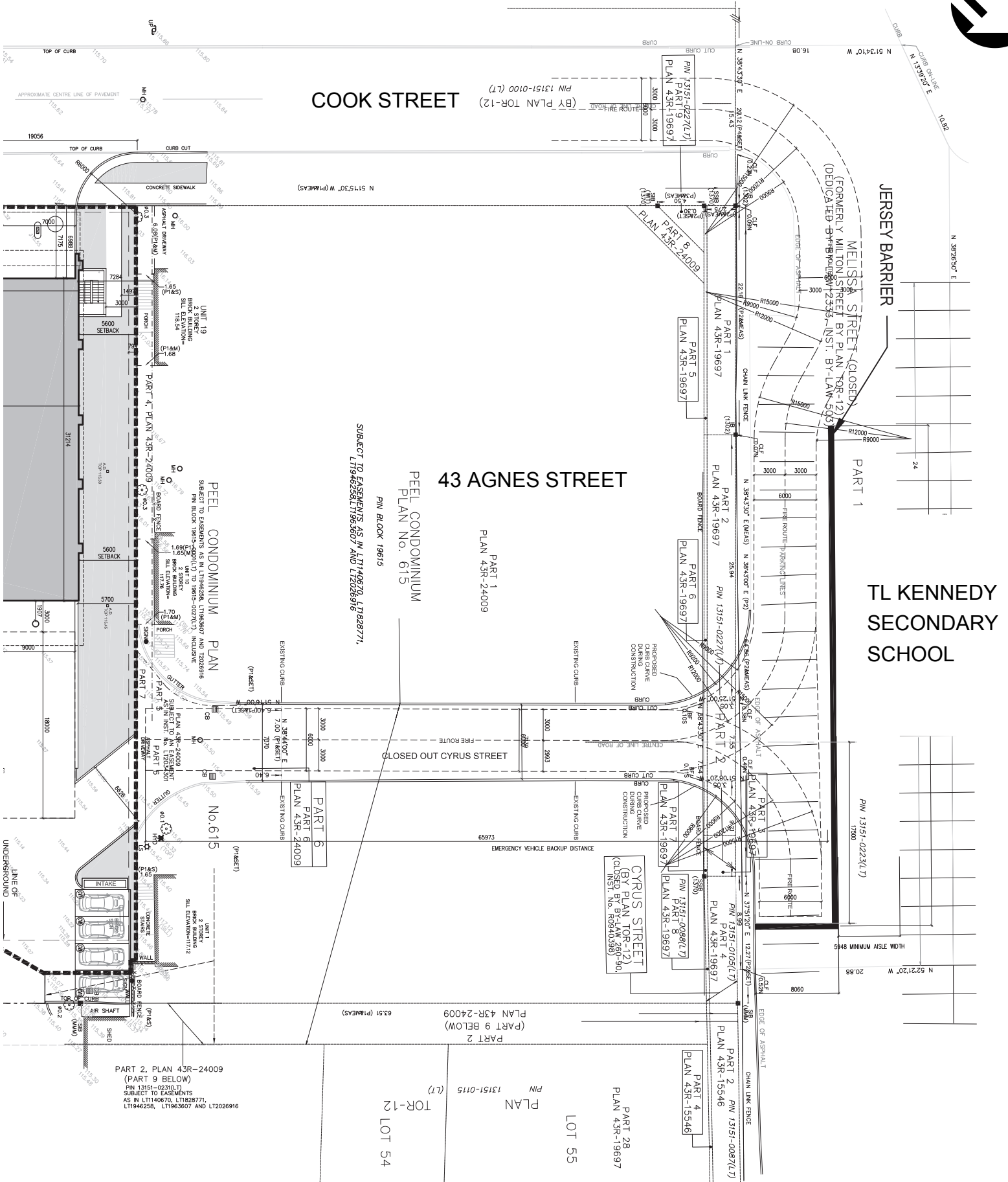
43 AGNES STREET

25 AGNES STREET

TL KENNEDY
SECONDARY
SCHOOL

HURONTARIO STREET







PIN BLOCK 19615

SUBJECT TO EASEMENTS AS IN LT1140670, LT1828771
LT1946258, LT1963607 AND LT2026916

LOT 54
R-12





04 PERSPECTIVE 1
A023



05 PERSPECTIVE 2
A023

Appendix 7**Proposed Zoning Standards**

	RA4-27 Regulations	Original Proposed RA4-27 (Apartment Dwellings – Exception)	Current Proposed RA4-27 (Apartment Dwellings Exception)
Minimum accessory retail commercial space	Lesser of 10% of total GFA or GFA of one storey of the dwelling	865 m ²	518.4 m ²
Maximum Floor Space Index – Apartment Dwelling Zone	1.8	7.0	7.5
Maximum number of apartment dwelling units	121	260	282
Maximum height	13 storeys	28 storeys	28 storeys
Maximum projection of a balcony outside the buildable area	1.5 metres	1.5 metres	1.5 metres
Maximum projection of a bay window outside the buildable area	0.3 metres	1.5 metres	1.5 metres
Minimum landscaped area	45% of the lot area	24% of the lot area	14% of the lot area

City of Mississauga

Corporate Report



Date: 2017/03/10

To: Chair and Members of Planning and Development Committee

From: Edward R. Sajecki, Commissioner of Planning and Building

Originator's files:
CD.06-TOW

Meeting date:
2017/04/10

Subject

INFORMATION REPORT (ALL WARDS)
Tower Renewal Partnership Project
CD.06-TOW

Recommendation

That the report titled, "*Tower Renewal Partnership Project*" from the Commissioner of Planning and Building, dated March 3, 2017, be endorsed.

Background

The Greater Golden Horseshoe is home to approximately 2,000 postwar apartment towers, which represents nearly half of the region's affordable rental stock. With the supply of affordable rental housing aging, strategies that will ensure the long-term viability of apartment towers is needed.

The Tower Renewal Partnership (TRP) is a collaboration led by the Centre for Urban Growth and Renewal, Maytree Foundation, Evergreen, United Way Toronto and York Region, and DKGI. It aims to rebuild apartment tower neighbourhoods into vibrant, economically diverse, low carbon communities that provide for a robust housing stock and healthy place to live through:

- improving housing quality while maintaining affordability
- achieving complete communities in tower neighbourhoods
- mitigating climate change through building retrofits
- integrating tower neighbourhoods into growth and transit planning

Comments

In 2016 the Intermunicipal Committee was established which brought together the cities of Toronto, Ottawa, Hamilton and Mississauga. Ontario's four largest cities attended the

Intermunicipal Tower Roundtable (the “Roundtable”) on November 28, 2016 and engaged in discussions to address the issues facing tower neighbourhoods through information sharing and action (Appendix 1).

The Roundtable identified the following four priority areas for further work:

- Preserving Housing and Affordability Strategies are needed to maintain affordability while encouraging reinvestment through the development of clear base housing standards. Apartment tower neighbourhoods have the potential to provide housing that is sustainable, energy efficient, appropriately sized for families and accessible for people through all walks of life.
- Calibrating Planning Policy and Programming At the municipal level, practical and proactive planning tools are essential to ensure municipalities can communicate how growth can be accommodated and the associated benefits growth can bring to the community.
- Addressing Variation Identifying tower typologies, characterized by varying economic, social and infrastructural conditions should be recognized, and resources should be established for addressing the various challenges posed by each type.
- Coordinating the Public Response Municipalities need to be supported in addressing challenges through integration and coordination with the Provincial and Federal governments and their programs. This collaboration would promote a network that encourages investment and additional input in the Tower Renewal process.

Improving the resilience of apartment tower housing will allow for there to be significant social and environmental gains across Ontario’s municipalities, and will bolster provincial and municipal goals related to housing quality, affordability, complete communities and reducing greenhouse gas (GHG) emissions.

Next Steps

Mississauga’s stock of postwar apartment towers is fundamental to the City’s supply of affordable rental housing. However, much of the rental supply is aging and critical repairs are needed. Also needed are enhanced connectivity to goods and services and transit networks. In order to address this issue it is recommended that:

- City staff continue to participate with the TRP which is seeking to establish a working partnership with the Province
- the priority areas identified for action be endorsed

Financial Impact

Not applicable at this time.

Conclusion

City staff will continue to work in partnership with the Tower Renewal team and seek to establish a working partnership with relevant provincial ministries. In doing so, the TRP can provide significant momentum to core provincial policy objectives and pose opportunities to advance growth, affordability, community development and sustainability.

Attachments

Appendix 1: Intermunicipal Tower Roundtable Summary Report



Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: Gaspare Annibale, Researcher



INTERMUNICIPAL TOWER ROUNDTABLE SUMMARY REPORT

MARCH 2017

CONTENTS

1. Executive Summary	1
2. Intermunicipal Roundtable Overview	3
3. Summary of Outcomes	6
4. Sharing Municipal Approaches	7
City of Mississauga	
City of Toronto	
City of Ottawa	
City of Hamilton	
5. Breakout Session Summary	14
6. Next Steps	16
Appendix A - Agenda	17
Appendix B - Policy Context	18
Appendix C - Participants	20

1 EXECUTIVE SUMMARY

There are nearly 2,000 postwar apartment towers located throughout Ontario's Greater Golden Horseshoe alone, representing nearly half of the region's affordable rental stock. As Ontario's apartment towers age and its cities grow, increased pressure is placed on apartment tower neighbourhoods — making it increasingly urgent that strategies be developed to ensure their long-term viability.

Since the release of the Provincial Policy Statement in 2014, the Province of Ontario has developed a series of supportive policies and plans with the capacity to catalyze the transformation of apartment tower neighbourhoods. Tower Renewal has the ability to act as a vehicle to fulfill provincial policy initiatives related to climate change action, smart growth, transportation, and affordable housing, through one comprehensive strategy. With the Province's initial investment through the Ministry of Municipal Affairs and Housing, the Tower Renewal Partnership has built supporting research around global best-practices, as well as the identification and analysis of opportunities and barriers to achieving Tower Renewal in the Ontario context. **The Tower Renewal Partnership and the Intermunicipal Committee are seeking to establish a working partnership with the Province, building a collaborative framework that will support our shared objectives.**

Tower Neighbourhood Renewal is a multi-pronged approach to transforming our Province's remarkable legacy of postwar apartment housing into vibrant, economically-diverse, low-carbon communities through:

- Improving housing quality while maintaining affordability;
- Achieving complete communities in tower neighbourhoods;
- Mitigating climate change through building retrofits; and
- Integrating tower neighbourhoods into growth and transit planning.

The Tower Renewal Partnership (TRP) is a multisectoral collaboration led by the Centre for Urban Growth and Renewal (CUGR), Maytree, Evergreen, United Way Toronto & York Region, and DKGI. The TRP supports public and private stakeholder itineraries, applied research, and demonstration projects to establish a framework through which Tower Neighbourhood Renewal can be scaled across the Province.

In 2016, the Intermunicipal Committee was established as a collaboration between Ontario's four largest cities, including Toronto, Ottawa, Mississauga, and Hamilton. The Intermunicipal Tower Roundtable held on November 28, 2016, initiated a collaborative platform to address the transformation of Ontario's apartment tower neighbourhoods through information sharing and action.

The members of the Intermunicipal Committee have been working to address apartment tower neighbourhoods through targeted loan programs, zoning amendments and updates to their official plans. The Intermunicipal Committee proposes to continue to work together, and in partnership with the Province, to secure the improvement, maintenance, and resilience of Ontario's affordable housing stock, fully integrated into our growing cities.

Throughout the Intermunicipal Tower Roundtable, four priority areas were identified where further work is needed to

successfully adapt apartment tower communities into mixed-use, affordable, socially-sustainable, and energy-efficient neighbourhoods.

Preserving Housing and Affordability: The development of strategies to maintain affordability and increase housing quality is needed, while encouraging reinvestment through the establishment of clear base housing standards and a roadmap to achieving them.

Calibrating Planning Policy and Programming: At the municipal level, pro-active and responsive planning strategies are needed to help municipalities articulate more clearly how they expect to see growth occur within apartment tower neighbourhoods, and the associated community benefits this growth might be expected to bring.

Addressing Variation: A range of tower neighbourhood typologies, differentiated by varying economic, social and infrastructural conditions, should be identified, and resources should be developed for addressing the unique challenges posed by each type.

Coordinating the Public Response: Municipalities can be supported in addressing these challenges through robust integration and coordination with Provincial and Federal governments and their programs.

A core outcome of the roundtable was the development of a set of critical next steps in addressing post-war apartment towers in Ontario's four largest municipalities.

- 01 The establishment of a small municipal working group that can coordinate and share best practices between cities;
- 02 Development of municipal research and data collection surrounding Tower Renewal;
- 03 Development of a framework that links municipal needs and provincial initiatives;
- 04 Building a working partnership with related provincial ministries; and
- 05 Continued consultations with CMHC in anticipation of The National Housing Strategy Report

Tower Neighbourhood Renewal is closely aligned with priority policy areas, as outlined in Ontario's Climate Change Action Plan, Growth Plan, 'Big Move' Transit Plan and Poverty Reduction Strategy. Further support for these neighbourhoods will come with the anticipated release of the the National Housing Strategy this year, ensuring that Canadians have access to quality affordable and energy-efficient housing. In order to move forward in fulfilling these shared objectives, municipal-provincial partnership is crucial.

We propose that this partnership be initiated with a briefing, illustrating how Tower Neighbourhood Renewal can provide significant momentum to core provincial policy objectives. The partnership could continue in the form of provincial attendance at upcoming Intermunicipal Tower Roundtables, and with close collaboration in streamlining existing programs and initiatives that support shared objectives. A cohesive Provincial Tower Renewal Framework could further focus these commitments, with significant impacts on climate change mitigation, housing policy, poverty reduction, transit strategy and smart growth.

2 INTERMUNICIPAL TOWER ROUNDTABLE

Ontario's post-war apartment towers provide affordable rental housing to more than one million people. These buildings are aging and urgently require rehabilitation, as well as stronger connections to goods, services and transit networks. The renewal of Ontario's post-war apartment tower neighbourhoods represents an opportunity to advance both provincial and municipal goals related to housing quality, affordability, complete communities and GHG emission reduction. Improving the resilience of apartment tower housing will provide tremendous social and environmental gains across Ontario's municipalities, and will require a set of strategies targeted to the unique needs and challenges faced by these neighbourhoods.

On November 28, 2016, the Intermunicipal Tower Roundtable convened Ontario's four largest cities to share how municipalities are already working to support tower neighbourhoods, and to identify strategies for future connectivity, sustainability and economic resilience. Participants from across the municipalities actively shared learnings and strategies. They also identified the supportive roles that might be played by other levels of government in order to develop a coordinated response to the renewal of hundreds of apartment tower neighbourhoods across Ontario.

The objectives of the Intermunicipal Roundtable were as follows:

- Share current municipal approaches to post-war apartment towers and their neighbourhoods, by exchanging information, opportunities and challenges;
- Identify supportive roles which might be played by other levels of government and advocate for the creation of necessary policies, programs, and frameworks; and
- Identify potential partnerships between various levels of government on this issue.



The Intermunicipal Tower Roundtable was convened by the Tower Renewal Partnership (TRP), the City of Toronto (Social Development, Finance, and Administration), the City of Ottawa (City Planning and Development), the City of Hamilton (City Planning and Economic Development) and the City of Mississauga (City Planning and Building). TRP is a non-profit research initiative whose work is directed at the comprehensive renewal of apartment towers on a regional scale.

TRP is a collaboration between the Centre for Urban Growth and Renewal (CUG+R), Maytree, Evergreen and DKGI. Working with a dynamic network of secondary partners, the TRP engages in research, stakeholder engagement and implementation, bringing together best-in-class practices in energy retrofit, planning policy, green financing and social inclusion to build more complete communities in apartment tower neighbourhoods.

The Intermunicipal Roundtable began with Graeme Stewart and Alex Heath of CUG+R providing an overview of core Tower Renewal objectives to set the stage for the roundtable discussion. The dialogue was framed around:

- Improving housing quality while maintaining affordability
- Achieving complete communities in tower neighbourhoods
- Mitigating climate change through building retrofits
- Integrating tower neighbourhoods into growth and transit planning

Following the overview, all participating municipalities were asked to share their approaches to addressing the needs and opportunities within tower neighbourhoods. The roundtable then shifted to breakout discussion sessions focused on the four core objectives. The results of these breakout sessions were reported back to all participants. The roundtable closed with a discussion of next steps. For a detailed agenda, please refer to Appendix A.



Graeme Stewart, Director, Centre for Urban Growth + Renewal



Alex Heath, Centre for Urban Growth + Renewal

A material package was distributed in order to help inform the discussion. Participants were provided with a series of maps illustrating the relationship between tower sites current and planned transit in Toronto, Ottawa, Hamilton, and Mississauga.

The package also contained summaries highlighting the correlation between policy initiatives and Tower Renewal objectives in the following reports and policy documents:

National Housing Strategy Consultation Report, 2016

Provincial Policy Statement, 2014

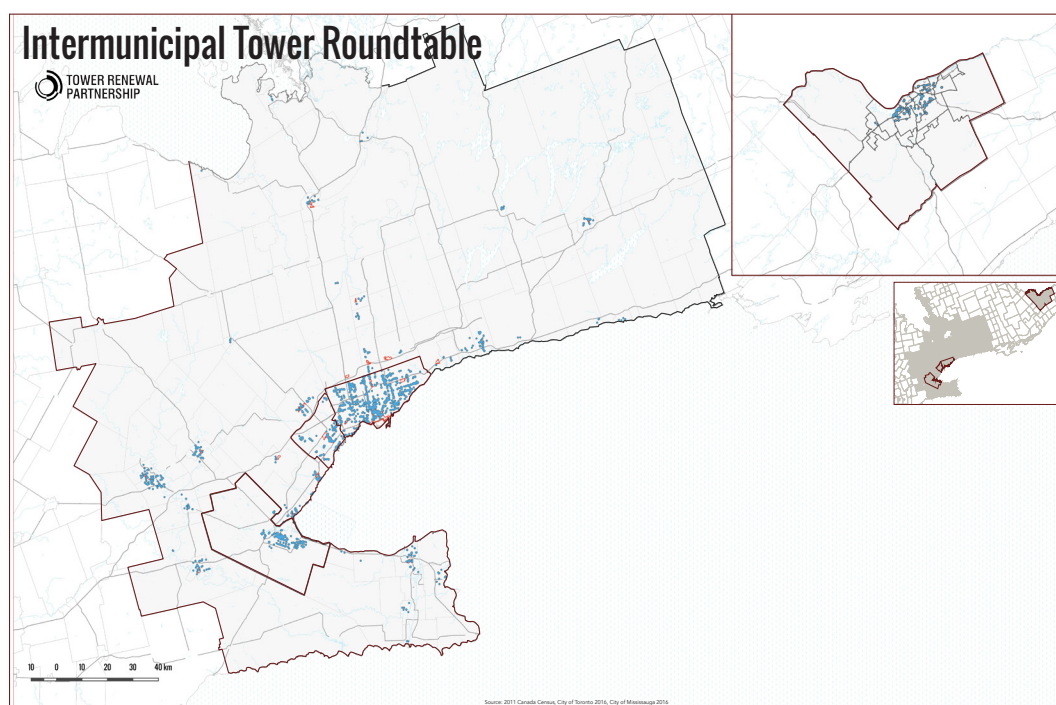
Ontario's Five Year Climate Change Action Plan, 2016 – 2020

The Growth Plan for The Greater Golden Horseshoe, 2016

The Big Move, 2008 & Discussion Paper for the Next RTP 2016

Ontario's Long-Term Affordable Housing Strategy, 2016 Update

Breaking The Cycle: Ontario's Poverty Reduction Strategy, 2015



Tower Statistics by Municipality, TRP. Source: 2011 Canada Census, City of Toronto 2016, City of Mississauga 2016

3 SUMMARY OF OUTCOMES

The following outcomes were derived from presentations by each municipality, breakout session discussions, and the concluding discussion on next steps.

Affordability and Housing

Towers are a significant part of our cities from affordability and housing perspectives. The unique resource represented by high-rise tower neighbourhoods has the potential to provide future generations with housing that is sustainable, energy efficient, suitably sized for families, and accessible to people in all phases of life. The outcomes of this roundtable pointed to the interconnected issues of housing, transportation and employment, and the need to build resiliency in our cities and across the province as a whole. Tower housing is predominantly market rental, renewal strategies need to maintain affordability while encouraging reinvestment. The establishment of a clear base housing standard which includes affordability, and a roadmap to achieving this standard, were acknowledged as key steps.

Planning Strategies

At the municipal level, proactive and responsive planning strategies are needed along with the development of strategies that extend beyond the scope of planning and involve programmatic responses, such as community development. Improved clarity around these strategies would help municipalities articulate more clearly how they expect to see development occur within apartment neighbourhoods, and the related community benefits this development might be expected to bring. The identification of tower sites within each city that can feasibly undergo revenue-gathering redevelopment would help pinpoint tower neighbourhoods which should be considered for growth. Community Improvement Plans and Secondary Plans can identify how community interventions align with larger neighbourhood objectives, taking into account the specific urban design requirements for a site as well as the social needs of individual communities. In order to build greater connectivity within tower neighbourhoods, pro-active planning along transit corridors and in future growth areas is crucial.

Acknowledging Variation

A host of strategies are needed to address the geographic and demographic variation within tower neighbourhoods in Ontario. Despite the appearance of homogeneity, the region's tower sites present a multitude of characteristics related to geography, location, ownership, culture, community need, and development potential. The identification of tower typologies, and the development of resources for addressing the unique challenges posed by each typology, is needed. This would provide support to municipalities in building more complete communities across a set of varying economic, social, and infrastructural conditions in apartment tower neighbourhoods.

Government Coordination

An expanded Provincial and Federal role is crucial to support cities as they address these challenges, through the robust integration and coordination of governments and their programs. This unification would help cultivate a framework that incentivizes investment and other forms of participation in the Tower Renewal process.

4 SHARING MUNICIPAL APPROACHES

Presenters from each municipality gave an overview of their city's experiences and challenges surrounding tower neighborhoods. Each presentation is summarized on the following pages.



Gaspere Annibale, Mississauga Policy and Planning Division



Ann-Marie Nasr, Toronto City Planning
Aderonke Akande, Tower and Neighbourhood Revitalization Unit



David Wise, Ottawa Zoning and Interpretation



Jason Thorne, Hamilton Planning and Economic Development

CITY OF MISSISSAUGA

Gaspare Annibale, Policy and Planning Division

KEY CHALLENGES RELATING TO APARTMENT TOWER NEIGHBOURHOODS

Municipal Structure: Mississauga falls under a two-tiered municipal structure, within The Region of Peel. Therefore, the way in which policy is directed is different versus a single tier. Strategies must be developed to work within this broader framework.

Preserving Apartment Tower Stock: The city has a limited supply of purpose-built rental

Development Pressure: Intensification of the Dundas and Hurontario corridors will lead to increased property values, which will cause aging apartment towers to be a prime target for demolition. Preventing the demolition and conversion of buildings in these locations will require a stronger policy framework.

Retrofit Cost: Encouraging landlords to maintain and upgrade buildings in order to increase energy efficiency, reduce GHG emissions and remain in a state of good repair is necessary. Key examples include:

- Replacing building heating and/or cooling systems and associated sub-components including mechanical system insulation
- Upgrading exterior or interior insulation, windows, exterior doors and/or building facade
- Converting to LED lighting and/or adding lighting controls or sensors

Accessibility: Introducing accessible design elements within buildings and individual units

Parking: Existing parking lots at grade can support infill and redevelopment within apartment tower neighbourhoods, however residents fear the loss of parking infrastructure

Operating Costs: For landlords (e.g. equalizing the tax rate between rental and condominium ownership, where rental has a higher tax rate). Costs can be onerous for landlords.

TOOLS BEING USED TO ADDRESS KEY CHALLENGES

Official Plan Policies:

Mississauga Official Plan (MOP) Policy 16.1.2.5 states the following:

“Proposals for additional development on lands with existing apartment buildings will be subject to the following, in addition to other policies regarding medium and high density residential development in this Plan:

- a. on lands designated Residential High Density, development in addition to existing buildings will be restricted to uses permitted in the Residential Medium Density designation; and
- b. as a condition of development, demonstrate the following:

- that the site in its entirety meets site plan and landscaping requirements;
- compliance with the property standards bylaw; and
- compliance with the applicable building code and fire code (i.e. the code in effect when the building was constructed).

This Policy will need to be reviewed to speak to, for example, the fire code as it pertains to the inside of a building and the applicable upgrades needed for maintenance.

MOP Policy 7.2.12 is responding to the preservation and replacement of rental housing. The Policy states: “Conversion of residential rental properties to a purpose other than the purpose of a residential rental property, or demolition of residential rental properties exceeding six dwelling units will not be permitted if it adversely affects the supply of affordable rental housing as determined by affordable housing targets and rental vacancy rates.”

- Since MOP is supported by Peel Region Official Plan, expanding existing MOP Policies will protect rental housing by undertaking a comparative review from GTHA municipalities’ official plan policies

Incentives:

- Consider CIPs, however the City cannot provide the level of incentive required. Mississauga needs to work with the Region and Province.

CITY OF TORONTO

Ann-Marie Nasr, City Planning

Aderonke Akande, Tower and Neighbourhood Revitalization Unit

KEY CHALLENGES RELATING TO APARTMENT TOWER NEIGHBOURHOODS

Limited Affordable Rental Stock Considered: Availability of rental stock for individuals and families

Parking: Two storey structures and underground parking take up space, making it hard to redevelop and infilling expensive. Residents also fear the loss of parking.

Poor Conditions: Aging infrastructure, access to units, broken elevators, poor environmental performance create challenging base building conditions

Viable Connection Points: Towers are isolated and have barriers limiting pedestrian permeability

Social Conditions: Need for social supports and access to a range of services has grown due to demographic shifts

Retrofit Cost: These costs put pressure on rent levels and affordability

Access to Retail and Services: City research identified 'food deserts' and disconnect of public services

Development Pressure: When renewal occurs market forces create pressure to convert to condos

Infill Potential: From a market viability perspective many towers have low infill potential

TOOLS BEING USED TO ADDRESS KEY CHALLENGES

Dedicated Tower Renewal Programs:

- STEP: Free site-specific guidance, project planning, and implementation support
- Centralized information hub and partner network for building-to-building support
- Coordinated cross-sector dialogue, information sharing to support improvement action
- Hi-RIS: Financing tools for energy and water retrofits
- Recipe for Community: Program which provides community infrastructure investment and support to implement initiatives in selected Tower Neighbourhoods

City Programs in Support of Tower Renewal:

RAC Zoning (Implemented in 2014)

- Developed to address food access and isolation issues, enhancing service-provision and entrepreneurial opportunities
- Allows small scale commercial and community uses on site around or within apartment building

Official Planning Policies and Urban Design Guidelines

- Inform the planning of infill / redevelopment proposals for apartment sites and the review of resulting applications
- Includes master planning of large site redevelopment or multiple-property precinct plans
- O.P. policy to secure improvements to existing apartments through infill

Rental, Demolition, Conversion and Replacement Policies

- Policies through municipal bylaw (Municipal Code Chapter 667 Residential Rental Property Demolition and Conversion Control) and Official Plan policies
- By-law enabled through City of Toronto Act

TowerWise through the Toronto Atmospheric Fund for Energy Retrofits

- A combination of innovative financial products, technical research, and policy development

Toronto Strong Neighbourhood Strategy and Poverty Reduction Strategy

- Provides resources and services to support investment to improve neighbourhoods across the City including tower neighbourhoods
- Includes a reinvestment fund to improve community spaces & funds to support local community engagement

CITY OF OTTAWA

David Wise, Zoning and Interpretation

KEY CHALLENGES RELATING TO APARTMENT TOWER NEIGHBOURHOODS

Outdated Planning Decisions: Urban renewal had focus on auto infrastructure

Parking: Two storey underground structures take up space, challenging and expensive to redevelop, lack of parking

Greenspace: Un-programmed, underused, costly to maintain, no clear ownership

Conceptual Community Views and Political Forces: Residents lobbying against infill, fear of increased density and impact on traffic and parking

Viable Connection Points: Disconnect with adjacent neighbourhoods, surroundings are often desolate

Infill Potential: Redeveloped clusters may not be dense enough to support commercial ventures

Funding: No obvious source of funding is available for renewal

TOOLS BEING USED TO ADDRESS KEY CHALLENGES

Official Plan Policies

- Considers development and redevelopment of high-density sites within town centres and areas of strategic interest
- Requires block sizes and building configurations be considered to allow for infill and redevelopment to occur

Secondary Plans

- Over the past few years, the City has placed greater emphasis on clearly articulating in policy how the City expects to see redevelopment occur

CITY OF HAMILTON

Jason Thorne, General Manager, Planning and Economic Development

KEY CHALLENGES RELATING TO APARTMENT TOWER NEIGHBOURHOODS

- Developing trust between residents, property owners and the city planning department
- Limited infill opportunities on downtown tower sites
- Pressure for condominium conversions
- Growing development pressure in the downtown core
- Need for different policy frameworks due the varying needs of tower communities in both urban and suburban situations

TOOLS BEING USED TO ADDRESS KEY CHALLENGES

- Incentive programs
- Community Improvement Plans
- Flexible mixed-use zoning
- Mandatory parkland dedication to keep up with increasing density

5 BREAKOUT SESSION SUMMARY

Through the two breakout sessions, participants identified the following actions for each of the four core Tower Renewal objectives.

Housing Quality & Affordability

Discussions identified the need for significant investment in apartment towers in order to meet today's standards of housing quality and amenity, and to address repair backlogs. Several common themes, concerns and solutions emerged through this discussion:

- Explore direct support to vulnerable tenants to address pressure from raising rents, such as a portable housing benefit
- Explore licensing apartment buildings
- Consider tax rate equalization between multi-rental and owner occupied housing
- Retain affordability while completing upgrades and better connections to transit
- Develop more affordable family-sized units and preserve stock we have
- Consider changes to the Ontario Building Code, for example applying retroactive building code applied when cosmetic upgrades are undertaken to encourage compliance to new housing standard (both environmental and housing quality)
- Develop financial tools to enable needed investment in apartment stock, without impacting affordability of tenants

Complete Communities

Discussions explored the opportunity Tower Renewal poses to develop a strategic approach to linking low- and middle-income populations to training, education, job markets and community services as part of Ontario's social inclusion and poverty reduction policies.

- Create better alignment between provincial strategies and municipal programs related to service delivery and community hubs
- Develop urban design standards for mixed-use activities, public space improvements and linking to broader neighbourhood context on tower sites
- Develop stronger partnerships with local institutions and NGOs in support local communities
- Opportunities for satellite community services in tower sites
- Explore opportunities to leverage public lands for community gathering space and service delivery
- Explore mixed-use within buildings, on lower floors, as well as through new infill development
- Develop Mixed-Use Tower Zoning (such as Toronto's RAC) broadly throughout municipalities
- Explore how Section 37 from other development could be used to support complete communities on tower sites
- Explore broader neighbourhood framework, how towers connect to transit, commerce, schools, public space, and tools to support better integration (ie: active transportation plans and tools to allow access rights of ways through tower sites)
- Explore tools that support neighbourhood investment and positive transformation in lower growth areas

BREAKOUT SESSION SUMMARY

Climate Change Mitigation

Discussions outlined how Tower Renewal can help Ontario meet the objectives of the Climate Change Action Plan, given that post-war apartment towers are major contributors to the province's GHG emissions.

- Develop new made-in-Ontario standards for energy efficiency and building retrofit, toward low/zero carbon buildings
- Combine regulatory shifts with clear guidelines or manuals for implementation
- Develop financial tools to support the retrofit economy and push the private sector toward deep retrofit, such as low-interest loans, performance-based grants, and other incentives
- Establish financial tool eligibility criteria and methods for benchmarking
- Tie building performance to development applications for infill on tower sites
- Involve industry to support retrofit and Tower Renewal through:
 - Products: Availability and cost
 - Certification : Labour force training for installers and consultants
 - Manuals: For implementation
 - Online tools and database
- Reduce cost through innovation and mass production
- Build best-in-class showcase project that balances deep energy retrofits and affordability

Smart Growth & Transit

Discussions focused on linking apartment towers to smart growth initiatives to help reinvigorate struggling neighbourhoods, while providing a range of housing options, and supporting investments in transit. The conversations established that additional planning and coordination is needed.

- Identify some tower neighbourhoods as growth areas, while determining the level of growth appropriate, and the form this could take
- Establish area-specific planning in neighbourhoods on planned transit corridors and in future growth areas
- Acknowledge that tower sites are unique and require a culture of innovation in developing solutions for infill, site reordering and broader urban design
- Develop solutions to better integrate tower neighbourhoods into their surrounding communities
- Mitigate impact of growth on surrounding low rise areas through design, through the addition of amenities that support the broader community
- Identify tower neighbourhoods as key transit-supporting areas in selection of future transit alignment
- Plan and design for the 'last mile ' establishing the potential for community interventions to align with transit investment and larger neighbourhood objectives from transit stop to apartment suite.
- Improve active transportation infrastructure around tower sites and integrate into broader transportation plans

6 NEXT STEPS

A set of critical next steps was outlined for the Tower Renewal Partnership and their municipal partners, addressing post-war apartment towers in Ontario's four largest municipalities.

01 Working Groups & Sharing Platforms

- Establish a structure for information-sharing with municipal partners that can be used to coordinate and share best practices between cities.
- Establish a framework for developing groups within each city including city staff, external stakeholders, NGO partners, programs and services

02 Municipal Research & Data Collection

- Develop a comprehensive list and analysis of predominant regional tower typologies
- Develop an opportunities guide through consultation with industry experts for each typology, outlining the process achieving the four core Tower Renewal objectives
- Identify main systemic barriers in each individual city
- Create an inventory of service needs for each priority project

03 Framework Development

- Establish a framework that links municipal needs and provincial initiatives
- Develop of a roadmap for coordination, incentives and guidelines

04 Provincial Outreach

- Establish a working partnership with relevant provincial ministries to realize goals related to four core Tower Renewal objectives

05 Federal Outreach

- Continue consulting with CMHC in anticipation of the National Housing Strategy report (2017) and its alignment with Tower Renewal objectives

APPENDIX A: AGENDA

Introductions and Overview

Tower Renewal Partnership (TRP) Introduction:

The day began with a presentation on the role of apartment towers within the housing system, the goals of the Intermunicipal Tower Roundtable and an overview of core Tower Renewal objectives.

Sharing Municipal Approaches

How are cities addressing their apartment tower neighbourhoods? Each municipality provided an introductory presentation on its approach to Tower Renewal.

Breakout Session 1: Complete Communities and Integrated Tower Neighbourhoods

Participants split into four groups, each focusing on how to best address the following two core objectives through reinvestment in tower neighbourhoods:

1. Achieving complete communities in tower neighbourhoods
2. Integrating tower neighbourhoods into growth and transit planning

Breakout Session 2: Improved Housing and Mitigating Climate Change

In the same groups each team discussed how to best address the following two core objectives through reinvestment in tower neighbourhoods:

1. Improving housing quality while maintaining affordability
2. Mitigating climate change through building retrofits

Report Back

All four groups reported back the results of their discussion outlining key municipal, provincial and federal opportunities and identified priority actions.

Next Steps

Together, the participants reviewed the proposed goals of the Roundtable and discussed the development of a working group to further define and expand on themes that emerged from the roundtable.

APPENDIX B: POLICY CONTEXT

Tower Renewal is a key project in fulfilling provincial policy initiatives surrounding complete communities, housing quality, affordability, climate change mitigation, smart growth and transit. Listed below are the policy documents that were examined to provide the basis for connections between provincial and federal policy with the objectives of Tower Renewal. Below are short summaries of each document, as well as a brief statement explaining how they relate to Tower Renewal.

Let's Talk Housing: Shaping Canada's National Housing Strategy

On November 22, 2016 the results of National Housing Strategy's (NHS) consultations were released. The NHS feedback report highlights what was heard during the four-month consultation process that included input and analysis from an online survey, expert and stakeholder roundtables, focus groups, and written submissions. There is strong alignment of priority issues, desired outcomes, and opportunities, between Tower Renewal objectives and the findings of the (NHS) consultation feedback report.

Ontario's Five Year Climate Change Action Plan 2016-20

The Ontario Climate Change Action Plan is a five-year plan that provides targets for reducing GHG emissions in pursuit of a low-carbon economy. This report looks at how to strengthen climate change policies in the municipal land use planning process. Tower Renewal is key in building adaptive community resiliency in the face of the potential effects of climate change,

Provincial Policy Statement 2014

Issued under section three of the Planning Act, the Provincial Policy Statement (PPS) 2014 provides policy direction to municipalities on provincial interests related to land-use planning. It is the foundation for provincial plans, which work to develop comprehensive, integrated, place-based, long-term planning. It supports and integrates the principles of strong communities, and clean and healthy environmental and economic growth.

Proposed Growth Plan for the Greater Golden Horseshoe 2016

The Growth Plan for the Greater Golden Horseshoe is an initiative of the Province of Ontario, generated to plan for growth and development in the region in a way that supports economic prosperity, protects the environment, and helps communities achieve a higher quality of life. It reinforces many of the goals of Tower Renewal in its policies, recognizing a shift toward more compact and complete development patterns, a greater variety of housing types, mixed-use development in urban growth centres, and a greater integration of transit in land-use planning.

Breaking The Cycle: Ontario's Poverty Reduction Strategy 2008

Adopted in 2008, Ontario's Poverty Reduction Strategy is a long-term plan that focuses on giving children and their families the support they need to achieve their full potential. The strategy aligns with Tower Renewal goals, creating complete communities, which could transform isolated areas into community hubs, along with core services.

APPENDIX B: POLICY CONTEXT

Ontario's Long Term Affordable Housing Strategy 2016

This strategy aims to transform Ontario's housing system to one that is people-centered, partnership-based, locally-driven and fiscally responsible. This strategy will play a crucial role in establishing the legislation needed to continue investing in affordable housing infrastructure and ensure that towers remain affordable post-renewal.

METROLINX: The Big Move 2008 & Discussion Paper for the Next RTP 2016

The Big Move sets out a series of strategies and policy recommendations that work towards high-level integration of all modes of transportation, easing congestion and commute times, reducing transportation-related GHG emissions, and promoting transit-supportive development. Tower neighbourhood densities provide the ridership levels needed to support the development of higher-order transit.

APPENDIX C: PARTICIPANTS

City of Ottawa David Wise, Program Manager, Zoning and Interpretation

City of Toronto Ann-Marie Nasr, Manager, Strategic Initiatives, Policy & Analysis, City Planning

City of Toronto Paul Farish, Senior Planner, Strategic Initiatives, Policy & Analysis, City Planning

City of Toronto Matt Armstrong, Planner, Strategic Initiatives, Policy & Analysis, City Planning

City of Toronto Aderonke Akande, Acting Manager, Tower & Neighbourhood Revitalization, Social Development, Finance, and Administration

City of Toronto Leah Ross, Project Manager, Tower & Neighbourhood Revitalization, Social Development, Finance, and Administration

City of Mississauga Gaspare Annibale, Researcher, Policy Planning Division

City of Mississauga Leo J. Cusumano, Manager, Inspection Services, Building Division

City of Mississauga Michael Foley, Acting Manager, Compliance and Licensing Enforcement

City of Mississauga Heather Coupey, Community Development Coordinator, Community Development

City of Mississauga Emily Irvine, Planner, Policy Planning Division

City of Mississauga Greg Phelps, Plans Examiner, Fire Division

City of Hamilton Jason Thorne, General Manager, Planning and Economic Development Department

City of Hamilton Chris Murray, City Manager, Planning and Economic Development Department

City of Hamilton Glen Norton, Manager, Urban Renewal

City of Hamilton Joanne Hickey-Evans, Manager, Policy Planning and Zoning By-law Reform

City of Hamilton Sean Botham, Senior Development Project Manager, CityHousing

City of Hamilton David Brodati, Manager, Investment Affordable Housing

City of Hamilton John Edward, Planner, Housing and West Harbour

City of Hamilton Asmaa Al-Hashimi, Building Engineer

Evergreen Michelle German, Senior Project Manager

United Way Toronto & York Region Alex Dow, Director, Neighbourhood Initiatives

United Way Toronto & York Region Juneja Varghese, Manager, Neighbourhood Initiatives

APPENDIX C: PARTICIPANTS

Maytree Foundation Hadley Nelles, Housing Lead

NBLC Matthew Bennett, Associate

Centre for Urban Growth + Renewal Graeme Stewart, Director

Centre for Urban Growth + Renewal Michael McClelland, Director

Centre for Urban Growth + Renewal Ya'el Santopinto, Project Lead

Centre for Urban Growth + Renewal Shonda Wang

Centre for Urban Growth + Renewal Alex Heath

Centre for Urban Growth + Renewal Hallie Church

Centre for Urban Growth + Renewal Maeve Baudoin

Centre for Urban Growth + Renewal Latoya Barnett

City of Mississauga

Corporate Report



Date: 2017/03/17

To: Chair and Members of Planning and Development Committee

From: Edward R. Sajecki, Commissioner of Planning and Building

Originator's files:
CD.04.COM

Meeting date:

April 10, 2017

Subject

REPORT ON COMMENTS (Wards 4 and 7)

Downtown Community Improvement Plan

File: CD.04.COM

Recommendation

1. That the Downtown Community Improvement Plan, proposed in the report titled "Downtown Community Improvement Plan" dated March 17, 2017 from the Commissioner of Planning and Building, be approved and that an implementing by-law be prepared
2. That a by-law delegating authority to the City Manager, to approve the Downtown Community Improvement Plan Development Processing Fees Grant and Tax Increment Equivalent Grant as proposed in the report titled "Downtown Community Improvement Plan" dated March 17, 2017 from the Commissioner of Planning and Building, be prepared
3. That the City Manager be authorized to sign Incentive Agreements that stipulate the terms and conditions for the granting of incentives under the Downtown Community Improvement Plan
4. That the Region of Peel be requested to develop a Regional Community Improvement Plan to support office development in Mississauga's Downtown

Report Highlights

- A public meeting was held to receive comments from the public and interested stakeholders on the draft Downtown Community Improvement Plan.
- The CIP is an enabling tool. This means should Council approve the CIP, there is no commitment of any financial loans or grants at this time. Rather, the CIP enables consideration of future granting and loan opportunities on a case-by-case basis.

- It is proposed to make the incentive programs time limited to five years. It is also proposed that a delegation by-law be prepared to authorize the City Manager to approve applications requesting the planning fees and/or Tax Increment Equivalent Grant incentive.
- The Region's portion of the tax dollar collected is greater than that of the City, as such, it is requested that the Region of Peel participate in Mississauga's Downtown CIP in order to make the incentives more meaningful.

Background

The Downtown Community Improvement Plan (CIP) is intended to enable the City to provide financial incentives, as permitted by the *Planning Act*, to landowners and tenants to offset the high costs of constructing parking for office development in the downtown. It has been over 20 years since the downtown has seen significant office development. New office development will create jobs, balance growth, and support planned infrastructure investment.

The proposed incentive programs are premised on the "but for" argument: but for the provision of incentives the development would not likely have occurred. Moreover, the potential tax revenues to the City and related social/economic benefits would also not materialize.

A public meeting was held on October 24, 2016 to allow the public and interested stakeholders the opportunity to provide comments on the draft Downtown CIP. Representatives of Oxford Properties and Morguard Investments Limited¹ made deputations and provided written comments (Appendix 1 and 2). Written comments were also submitted by Goodmans LLP, legal representatives of Oxford Properties (Appendix 3) and the Ministry of Municipal Affairs and Housing (Appendix 4). Two residents attended the public meeting providing verbal comments.

An overview of the primary comments received at the public meeting is briefly outlined below:

- Greater certainty on the granting of the Tax Increment Equivalent Grant (TIEG) specific to timing and possible delegation of authority to staff
- Greater clarity on the amount of incentive potentially available
- Concern that the Downtown CIP did not apply to existing office developments
- Question if financial incentives are still needed now that the City is planning the construction of the new light rail transit (LRT)

Comments

Following the public meeting, staff have reviewed and considered the input received. Detailed comments received and staff's responses can be found in Appendix 5. The final version of the

¹ Written submission provided by Wood Bull LLP on behalf of their client Morguard Investments Limited.

Downtown CIP is attached as Appendix 6. The following section provides staff's response to the primary issues raised.

Granting of TIEG Incentive

Staff are not recommending a change to the TIEG incentive. The amount that may be available would be determined after an application has been submitted and evaluated. It is recommended that the City Manager be given authority to approve office development requests for TIEGs and planning fees, provided they meet all the criteria, up to a maximum office gross floor area of 500,000 sq.ft. (46, 452 m²). Once the City Manager has approved applications up to this amount of office space, all other applications would require Council approval. Delegation will allow for a timely response to applications, however, the City Manager may still choose to have Council approve applications.

The 500,000 sq.ft. (46, 452 m²) will ensure the City remains competitive. Office development trends in other municipalities, in particular the City of Vaughan, show typical office projects (two buildings) approved through the use of a TIEG program equate to a total of 465,000 sq.ft. (43,000 m²). This amount is in keeping with projects within Mississauga that have recently chosen to locate along the LRT corridor rather than the downtown. Last year, Royal Sun Alliance (RSA) announced they will be constructing a 221,000 sq.ft.(20,531 m²) office development in the Gateway Corporate Centre.

Application of CIP

The Downtown CIP is intended to incentivize new office development; existing office development is not recommended for inclusion in this program.

Relationship to LRT

Staff have re-evaluated the "but-for" test in the downtown and it remains valid. The CIP is a five year pilot. Once the LRT is constructed the "but for" test will be reassessed to determine whether incentives are still required.

Region of Peel Community Improvement Plan

Providing incentives at the Regional level would enhance proposed City programs. Today, the City receives one-fifth of every commercial/industrial tax dollar collected (20%).² The Region collects 27% of the commercial tax dollar, while the remaining 53% is directed to education. The Regional Official Plan policies enable the establishment of a Regional CIP. Consequently, the incentives provided in the Downtown CIP would be more attractive if they were combined with

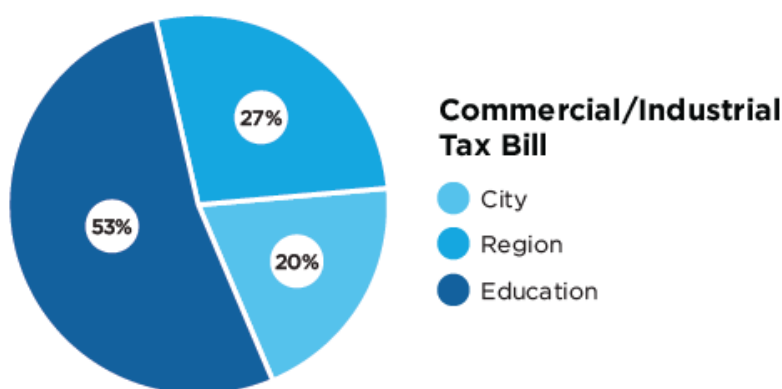


Figure 1: Distribution of the Commercial/Industrial Tax Dollar collected in Mississauga

financial incentives provided by the Region. It is recommended that Council request the Region to develop a Regional CIP that supports Mississauga's Downtown CIP.

Next Steps

A by-law will be prepared to implement the CIP. Once approved by Council, a notice will be issued and a 20 day appeal period will

commence. Appeals are resolved at the Ontario Municipal Board.

Strategic Plan

The vision for the downtown was first established through the Strategic Plan. The Strategic Plan identifies five strategic pillars for change, each one playing a critical role in shaping the future of the city. They are: Move, Belong, Connect, Prosper and Green. A strategic goal under the Connect pillar, which focuses on "completing neighbourhoods", is to create a vibrant downtown. A vibrant downtown is one that is the civic and cultural soul of the city, as well as a strong economic centre. The Prosper pillar aims to develop talent, attract innovative business and meet employment needs.

Financial Impact

The Downtown CIP will have financial impacts once an application is submitted and approvals granted. Applications will be reviewed on a case-by-case basis. Participation in the TIEG program would require that the applicant pay taxes each year. Once the development is completed and an assessment conducted for the new development, a grant will be provided to the developer based upon the agreed terms. Since construction of an office building would take several years, the budget process would allow sufficient lead time to anticipate the incentive. No budget is allotted for this CIP; as such, funding for the construction of possible municipal parking spaces or structures would need to be determined.

² <http://www.mississauga.ca/portal/cityhall/budgethighlights>

Conclusion

The Downtown CIP is an enabling tool that gives the City the ability to provide incentives to office development. The goal of the CIP is to draw more job opportunities to the downtown for the purposes of balancing growth and creating a healthy, complete community. Each application will be reviewed on a case-by-case basis and requires the approval of Council or the City Manager, where delegated. Staff have reviewed the comments received on the draft Downtown CIP and have proposed some changes. It is recommended that the Downtown CIP be adopted.

Attachments

- Appendix 1: Letter dated October 27, 2016 submitted by John Filipetti, Oxford Properties Group Inc.
- Appendix 2: Letter dated October 24, 2016 submitted by Johanna R. Shapira, Wood Bull LLP, on behalf of Morguard Investments Limited
- Appendix 3: Letter dated October 20, 2016 submitted by Mark Noskiewicz and Ian Andres, Goodmans LLP on behalf of Oxford Properties Group Inc.
- Appendix 4: Letter dated October 4, 2016 submitted by Kasper Koblauch, Ministry of Municipal Affairs and Housing
- Appendix 5: Draft Downtown Community Improvement Plan – Response to Comments Table
- Appendix 6: The Downtown Community Improvement Plan - April 2017



Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: Shahada Khan, Planner



Oxford Properties Group
Royal Bank Plaza, North Tower
200 Bay Street, Suite 900
Toronto, ON M5J 2J2

T/ 416 865-8300
F/ 416 865-8307
www.oxfordproperties.com

October 27, 2016

**City of Mississauga
Planning & Development Committee**
300 City Centre Drive
Mississauga, ON
L5B 3C1

Dear Chair and Members of the Planning and Development Committee,

RE: Mississauga Downtown Community Improvement Plan (CIP)

We represent the ownership of Square One Shopping Centre. On behalf of OMERS and AIMco, Oxford Properties operates, leases, and develops Square One and the surrounding lands. Our land holdings include 130 acres in the heart of Downtown Mississauga, including Square One Shopping Centre as well as over 30 acres of land in the Downtown that has the potential to accommodate future office buildings and mixed-use development. These parcels are currently occupied by low density uses, but with the coming investment in the new LRT and the opening of the BRT, these locations will have increased appeal for the development of office and mixed use buildings.

Oxford and its co-owner are committed to developing economically viable office buildings at Square One. Oxford Properties began as developer of office buildings some 60 years ago, and office space continues to be a major focus of our business. Over the past six years, Oxford has developed six major office buildings comprising over 4.5 million square feet in downtown markets including Calgary, Toronto, Vancouver and London, UK.

As noted in the Corporate Report dated May 24, 2016, higher costs to build structured or underground parking in the Downtown compared to surface parking in other regional locations make the economics of new construction in the Downtown challenging. The incentives proposed in the CIP are a great step forward in addressing this challenge. In particular the TIEG is a concept which has been effective in other jurisdictions. We are very focused on initiating new office development in the Downtown, and we supportive of the intent of the draft CIP.

We have reviewed the draft CIP and we would like to highlight three concerns. The attached memo from Goodmans outlines our concerns in detail. A summary of our concerns is as follows:

The first is related to project eligibility criteria. Subsection 7.4(h) could be interpreted to mean that only projects that conform exactly to the applicable zoning by-law and do not require Minor Variances would be eligible for the incentives. Modifications or amendments to the planning documents by way of Minor Variance (with support of planning staff) are often required to enable development to proceed. It would seem counter-productive to prevent this normal planning process from proceeding, assuming it is supported by Staff.

The second concern is related to the administration and approval process. The draft indicates that the CIP will be administered according to the City's Corporate Policies and Procedures; however we suggest that important aspects of the financial incentive programs such as the availability, amount, and duration of Tax Increment Equivalency Grants, should be clearly set out in the CIP and not left for interpretation on a case-by-case basis. Our most important concern is that all incentive proposals are subject to individual Council approval. This creates significant uncertainty and time delay for applicants. The commercial leasing



environment is very competitive. Schedules are short and usually a tenant seeking new space will not be able to accommodate the time required for a proposed package of incentives to go to Council for approval. By comparison, the City of Toronto's successful Imagination, Innovation, Technology Financial Incentive Program (IMIT) only requires Council approval where the value exceeds preset levels. The majority of applications are delegated to staff for processing, and approval is assured if the eligibility criteria have been met. This allows building developers and office users to incorporate the grants into their financial proposals with confidence. As drafted, the CIP would allow Council to review applications on a case-by-case basis, which creates uncertainty for the applicants. This will undermine the ability of the CIP to achieve its objectives.

The third concern is the cost of structured or underground parking in the Downtown, compared to more economical surface parking available to other development sites in the region. Although municipally funded parking is one potential solution as outlined in the draft CIP, it would also be advantageous to include other methods of directly mitigating the higher cost of parking in the Downtown.

We would welcome the opportunity to discuss these concerns in detail with Staff to make the CIP as effective as possible. Thank you for the opportunity to comment on this draft CIP.

Sincerely,
OXFORD PROPERTIES GROUP INC

A handwritten signature in blue ink, appearing to read "John Filipetti", written over a light blue horizontal line.

John Filipetti,
Vice President, Development

CC: Mary Ellen Bench, City of Mississauga
Andrew Whittemore, City of Mississauga
Ed Sajecki, City of Mississauga
Jeffrey Hess, Oxford Properties Group
Cory Estrela, Oxford Properties Group



MUNICIPAL, PLANNING & DEVELOPMENT LAW

24 October 2016

Delivered Orally and Copy Delivered

City Councillors and
Planning and Development Committee Members
300 City Centre Drive
Mississauga, ON L5B 3C1

Dear Councillors and Committee Members:

**Re: Proposed Downtown Community Improvement Plan
Downtown Core Character Area
Planning and Development Committee
Public Meeting**

We represent Morguard Investments Limited ("Morguard") on its own behalf and as representative of Workers Compensation Board, with whom Morguard jointly owns the properties municipally known as 33, 55, 77 and 201 City Centre Drive, located in the Downtown Core of the City of Mississauga (the "Morguard Lands").

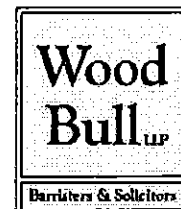
The Morguard Lands are presently developed with office buildings, which were constructed in the late 1960s and 1970s. As the City will know, since the acquisition of the buildings in 2000, the owners have invested significant capital to maintain these buildings as prestigious office locations, contributing to the strong economic centre of the Downtown Core. Office uses on these lands is consistent with planning vision established by the City's most recent planning vision for the Downtown Core, articulated in the Downtown 21 Master Plan and Official Plan Amendment No.8 ("MOPA 8").

We understand that, at its meeting this evening, the Planning and Development Committee is considering a draft community improvement plan for the Downtown Core Character Area Community Improvement Project Area, including the Morguard Lands (the "Draft CIP"). The stated purpose of the Draft CIP is to attract new office development to the Downtown Core.

Morguard applauds the City's efforts to transform the Downtown Core into a hallmark destination, and specifically, the City's efforts to stimulate the area as a strong and vibrant commercial centre. Morguard has been an active participant in stakeholder discussions about office development in the Downtown Core and ways to incentivize and support that development. In that context, Morguard has reviewed the staff reports respecting the Draft CIP that is before the Planning Committee this evening, as well as the draft plan itself, and offers the following comments for Council's consideration.

Johanna R. Shapira Direct: (416) 203-5631 jshapira@woodbull.ca

65 Queen Street West Suite 1400 Toronto Ontario M5H 2M5 T (416) 203-7160 F (416) 203-8324 www.woodbull.ca



24 October 2016

Comments

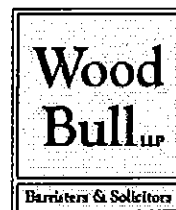
The Draft CIP does not adequately acknowledge and support existing office development in the Downtown Core. Although attracting new office space to the Downtown Core to “catalyze employment” is a laudable planning objective, it should not overshadow the importance of supporting the office building stock (and therefore current business community) present in the Downtown Core today.

In their 24 May 2016 report, staff identify sites at the north side of the Downtown Core as being the “most desirable for office building development”, and cite “other opportunities” for “future office buildings” around planned LRT stations. Notwithstanding that the Morguard Lands are located in close proximity to at least one of the newly proposed LRT stations, none of the existing office buildings located on the Morguard Lands are recognized in the report. The reference in the report that “some of the existing office buildings are reaching their end of life and are ripe for redevelopment” does not accurately describe the buildings located on the Morguard Lands, and respectfully, minimizes the importance of those buildings in generating employment for the Downtown Core in the decades to come (perhaps before any new office space materializes).

In planning to “catalyze employment” and create a complete community in the Downtown Core, Morguard respectfully submits that the existing office should be more properly acknowledged and supported. Adding explicit policy language and incentives around this objective to the Draft CIP would represent a positive move on that direction.

As noted in the staff reports, one of the major issues identified by stakeholders around office development in the Downtown Core is parking. This is not only a barrier for developers looking to build new office space, but a challenge for the landlords of existing buildings seeking to compete with other office locations in the GTA.

Regrettably, the Draft CIP does not acknowledge or address the parking challenge facing existing office landlords. Section 7.1 of the Draft CIP speaks to enabling “a “toolbox” of incentives” that can be used to “attract office development by providing incentives to offset the high cost of parking” but makes no reference to existing office. Furthermore, the “municipally-funded parking program” incentive (Section 7.2.3) contemplates that the City will build a municipal stand-alone parking facility, or co-locate a portion of municipally-owned parking within a private office building development. However, the Draft CIP does not address the very important issue of where such parking would be located. As noted above, it is important in planning for office development in the Downtown Core that preference is not given to new locations, to the detriment of already existing office buildings. Where a municipally funded parking solution is contemplated, a balanced and fair consideration of location that takes into account the needs of existing office development should be made.



24 October 2016

It is also notable that in the General Eligibility Criteria section of the Draft CIP (Section 7.4), there is no specific reference to existing office buildings other than "the adaptive reuse of existing office buildings". A specific reference to existing office buildings should be added.

Finally, we note that no party who has an outstanding appeal of MOPA 8 or the implementing zoning by-law amendments are eligible for receipt of the incentives. Morguard commenced discussions with staff about its appeals earlier this year, however, no has had no response to date about the matter. It is Morguard's anticipation that these matters can be resolved expeditiously.

Request

Morguard requests that the City modify the Draft CIP to address the concerns raised above, and bring those modifications forward to the various stakeholders in this process for further review and discussion.

Request for Notice

We hereby request notice of any future staff report, Planning and Development Committee, or Council meeting on this matter, as well as any municipal decision. Notice should be sent to the attention of the undersigned and to:

Margaret Knowles
Senior Vice President
Morguard Investments Limited
55 City Centre Drive, Suite 800
Mississauga, ON L5B 1M3

Email: mknowles@morguard.com

Yours very truly,

Wood Bull LLP

Johanna R. Shapira

JRS/jrs

c. M. Knowles, Morguard Investments Limited



Memorandum

TO: John Filipetti October 20, 2016

CC: Cory Estrela **FILE NO:** 133038

FROM: Mark Noskiewicz / Ian Andres

SUBJECT: City of Mississauga - Proposed Downtown Community Improvement Plan ("CIP")

The purpose of this memorandum is to provide some preliminary comments with respect to the draft Downtown Community Improvement Plan dated May 2016 (the "Draft CIP"), which will be considered by the Planning and Development Committee on October 24, 2016.

We understand that the Square One owners are supportive of the City's CIP initiative, as they share the City's objective of providing incentives for Downtown office development. There are, however, some concerns with respect to the manner in which the Draft CIP is proposed to be implemented, as set forth below.

In order for the CIP initiative to be successful and to achieve its stated objective of stimulating investment in new office development, it must be more than just an "enabling tool". The City will have to demonstrate a willingness to actually deliver the financial incentives contemplated by the CIP, particularly the Tax Increment Equivalent Grants ("TIEGs"), and sufficient certainty should be provided within the CIP itself to enable landowners to rely on the availability of the TIEGs when creating and marketing their development proposals.

Eligibility Criteria

Section 7.4 of the Draft CIP provides certain eligibility criteria including the following:

- g. applicants with outstanding appeals to Mississauga Official Plan policies or amendments to the Downtown Core, Zoning By-law #0225-2007 and/or Interim Control By-laws # 0046-2011/0036-2012; or Downtown Core Built Form Standards, for the subject property, are ineligible; and
- h. only projects which conform to the policies under regulations referenced above in "g" are eligible.

All projects which comply with the policies of the Mississauga Official Plan and the applicable zoning by-laws, as may be amended or varied from time to time, should be eligible under the CIP. In our opinion, it would be inappropriate for a CIP enacted pursuant to Section 28 of the *Planning Act* to effectively limit landowners' statutory rights under other sections of the *Planning Act* to appeal municipally-initiated official plan and zoning by-law amendments, or to apply for rezoning or minor variances.

However, Subsection 7.4(h) could be interpreted to mean that projects would need to conform to the planning instruments as adopted by Council. The recently constructed expansions to the Square One Shopping Centre both required minor variances (with the support of planning staff), and in the case of the southwest expansion, Council-endorsed modifications to Mississauga Official Plan Amendment No. 8 (“MOPA 8”) and Zoning By-law Amendment 0050-2013. This potential interpretation of 7.4(h) would preclude the approach taken for the expansions, and would also preclude the possibility of future rezoning or official plan amendment applications.

Further, the Downtown Core Built Form Standards were implemented by way of By-law 0051-2013, which amends the City of Mississauga Site Plan Control By-law 0293-2006. As you know, this by-law cannot be appealed, notwithstanding the concerns with the Built Form Standards which have been raised by the Square One owners and the other appellants to the other Downtown Core planning instruments. Moreover, some of the stringent urban design requirements in the Downtown Core planning instruments are contradictory to the requirements of potential office tenants and the market reality. While financial incentives may offset initial development costs, they will not offset the long-term costs associated with maintaining and leasing under-performing or poorly located office and retail spaces.

For all of these reasons, it seems unfair and counter-productive to make eligibility for the CIP contingent upon compliance with planning documents which may contain disincentives to office development, and for which there is no statutory ability to appeal or seek amendments. Modifications or amendments to the planning documents may be necessary to enable development to proceed in a viable and sustainable manner, which is a shared objective of the landowners and the City, and the CIP should not prevent this from occurring.

In any event, even if the above-noted concerns can be resolved by way of revision to the CIP, it seems fundamentally unnecessary to include any eligibility criteria requiring compliance with applicable planning regulations and policies, as this is of course a pre-condition for approval of any site plan or the issuance of a building permit. For all of these reasons, we would recommend that subsections 7.4(g) and (h) be deleted from the CIP.

Administration and Approvals Process

The administration process set out in section 8.2 of the Draft CIP states that the CIP will be administered according to the details outlined in the City's Corporate Policies and Procedures, as approved by Council. While it is not entirely clear what this statement means, we believe that the program parameters and application requirements should be included in the CIP itself, as is common practice in other municipalities. Important aspects of the financial incentive programs, such as the availability, amount and duration of TIEGs, should be clearly set out in the CIP and not left for determination through agreements with individual owners.

The City is relying on section 28 of the *Planning Act* for the authority to provide development incentives to individual owners as an exception to the general anti-bonusing rule in section 106 of the *Municipal Act, 2001*. Accordingly, it is incumbent on the City to be transparent about the extent of the financial incentives to be provided, and to disclose sufficient information now to

allow stakeholders to understand exactly how the CIP will be interpreted and applied, so they can make an informed decision regarding the CIP and its operation.

In our opinion, it is also problematic that all proposals are subject to Council approval, as this creates significant uncertainty for applicants and potential applicants. The commercial leasing environment is highly competitive, and certainty regarding the availability of a TIEG would be a significant factor for tenants deciding whether to locate in downtown Mississauga or another municipality.

By comparison, the City of Toronto's Imagination, Manufacturing, Innovation, Technology (IMIT) Financial Incentive Program only requires Council approval where the construction value of the project exceeds \$150 million or where the applicant is claiming eligibility as a 'transformative project'. The majority of applications are delegated to staff for processing, and approval is automatic if all of the eligibility criteria and conditions set out in the Toronto CIP have been met. The Toronto CIP also provides detailed rules as to how the TIEGs will be calculated and the term over which they will be paid out. This approach allows developers to market their proposals and to offer rent inducements to potential office tenants with a reasonable degree of certainty.

In Mississauga's Draft CIP, however, Council would reserve the right to assess applications on a case-by-case basis, and to cancel any of the incentive programs in the future without going through the *Planning Act* process to formally amend the CIP (section 8.3). Leaving aside the questionable legality of cancelling incentive programs without a public process, the more important point is that developers will not be able to rely on the availability of the grants and incentives, which will undermine the ability of the CIP to achieve its stated objectives.

For all of these reasons, we would recommend that the CIP be modified to include detailed criteria as to how the financial incentives (particularly the TIEGs) will be calculated and applied, and to authorize staff to approve applications and to enter into funding agreements with applicants (subject to compliance with the program requirements) so as to avoid the uncertainty of obtaining Council approval on each application.

Region of Peel Participation

Finally, as noted on page 7 of the May 24, 2016 staff recommendation report, without an equivalent program in place for the Region of Peel, the amount of the TIEGs available through the City's CIP will likely not be sufficient to achieve the desired result, as they would be limited to some percentage of the lower-tier municipal portion of the tax increment.

Accordingly, we agree with recommendation #4 of the staff report, which requests that the Region of Peel work with City staff to explore the development of a complementary community improvement plan for Mississauga's downtown.

**Ministry of
Municipal Affairs**

**Ministère des
Affaires municipales**

Ministry of Housing

Ministère du Logement



Municipal Services Office
Central Ontario
777 Bay Street, 13th Floor
Toronto ON M5G 2E5
Phone: 416 585-6226
Facsimile: 416 585-6882
Toll-Free: 1 800 668-0230

Bureau des services aux municipalités
du Centre de l'Ontario
777, rue Bay, 13^e étage
Toronto ON M5G 2E5
Téléphone : 416 585-6226
Télécopieur : 416 585-6882
Sans frais : 1 800-668-0230

October 04, 2016

Via Email Only

Ms. Shahada Khan, M.A, MCIP, RPP
Planner, City-Wide Planning
Planning and Building Department, Policy Planning Division
City of Mississauga
300 City Centre Drive
Mississauga, Ontario
L5B 3C1

Dear Ms. Khan:

**RE: Draft Downtown Community Improvement Plan
City of Mississauga
MMAH File No. 21-CP-168346**

Thank you for providing Ministry of Municipal Affairs staff with the opportunity to review the City of Mississauga (City) draft Downtown Community Improvement Plan (CIP).

The draft CIP contains financial incentive programs specifically designed to address the City's community improvement goal of establishing new downtown office development. This appears to align with the vision of the City's Downtown 21 Master Plan while contributing to a more complete, mixed-use, and transit-supportive downtown core. The draft CIP also proposes to expand the present community improvement project area, as originally designated by Council, to include the entire downtown core character area.

In general, Ministry of Municipal Affairs staff are supportive of the direction and programs proposed in the draft CIP. However, it is recommended that the CIP include additional detail respecting the implementation of financial incentive programs, such as the tax increment equivalent grant (TIEG).

The CIP should clarify how TIEG grants are intended to be calculated, rather than deferring such considerations to a future 'formal program agreement.' For example, the intended program duration, intended (or maximum) percentage of tax increment to be returned as a grant, and any conditions or limitations, should be specified in the CIP.

The CIP's Development Processing Fees Rebate Program, and Municipally Funded Parking Program, could equally benefit from greater detail respecting implementation.

While there is merit in maintaining some flexibility in the implementation of these programs, the CIP should provide the public and potential participants with some sense of the planned implementation. Such details will also help to ensure accountability and transparency respecting the financial incentives being proposed.

In addition to the above, the following comments on the draft CIP are offered for your consideration:

3.0 Vision (page 1 and 2)

- The reference to the 'Municipal Act' should be replaced with the 'Planning Act.'
- While the fifth paragraph states that the CIP is consistent with the City's Official Plan, the City may wish to elaborate on this point, for example by making reference to policies that support using a CIP to encourage office development opportunities.

3.0 Vision – Regional Government Participation (page 2)

- It is recommended that some additional details respecting upper-tier CIPs be included in this paragraph. It should be clarified that *prescribed* regional governments (such as the Region of Peel) are permitted to create community improvement plans. It may also be informative to note that upper-tier CIPs can only deal with prescribed matters, including land and buildings within and adjacent to existing or planned transit corridors that have the potential to provide a focus for higher density mixed-use development and redevelopment.

7.2.2 Development Processing Fees Rebate (page 5)

- It is recommended that the term 'rebate' be replaced with 'grant,' which aligns with the language of the Planning Act, and is the term used in Section 8.3 of the CIP.

7.2.4 Municipal Property Acquisition (page 6)

- The first sentence in the final paragraph notes that the CIP strategies are for private sector development. We recommend re-considering the requirement that development be 'private sector,' in the event that a public agency or level of government wishes to participate.

7.4 General Eligibility Criteria (page 6 and 7)

- Paragraph f. references Transportation Demand Management (TDM) measures. The CIP could refer to the official plan for further guidance with respect to such TDM measures and components of a TDM plan.
- The City should consider requiring applicants to not be in tax arrears in order to be eligible for CIP incentives.

- The City should consider specifying whether or not applicants could 'stack' incentives by taking advantage of multiple programs.

8.3 Amending Policies (page 7)

- It is recommended to replace the word 'discontinuation' with the word 'deletion' respecting those CIP changes that do not require an amendment.
- While this section includes a stipulation about 'other major revisions,' it may be helpful to list some examples of such revisions, for example, 'changes in eligibility criteria.'

Figure 1 (page 3)

- A higher-quality map with identifiable street names would help ensure the CIP's user-friendliness and clarify CIP boundary lines.
- The boundary of the CIP should follow property lines in order to aid in interpreting areas applicable to the CIP.

Formatting and Typographical Errors

- Introduction - page 1: The word 'remerging' may be intended to be 're-emerging' in the final paragraph.
- Vision – page 2: The word 'Peel' should be inserted before the words 'Regional Official Plan' in the fifth paragraph.
- Regional Government Participation – page 2: The acronym TIEG should be spelled out in the second sentence as this is the first instance of the term.

Thank you again for the opportunity to review and provide comments on this draft CIP. If you have any questions please do not hesitate to contact me at 416-585-6062 or by email at Kasper.O.Koblauch@ontario.ca

Yours truly,



Kasper Koblauch
Planner, Community Planning and Development (West)
Municipal Services Office – Central Ontario

Draft Downtown Community Improvement Plan – Response to Comments Table

	COMMENT	RESPONDENT	STAFF RESPONSE	RECOMMENDED CHANGE
	PROVISION OF INCENTIVES			
1	Are incentives needed now that LRT will be built?	Planning and Development Committee	<p>The residential market in the downtown is strong and viable. Opportunity for office has presented itself along the LRT corridor (e.g. within the Gateway Corporate Centre) where office tenants have the benefit of transit and surface parking. Currently, the office market still demands parking at a rate that is higher than the zoning by-law standard. In the downtown, the high cost of building parking, particularly underground parking, results in rents that become less attractive and competitive to other cities.</p> <p>A five year timeframe will be added to each program to align with the expected completion of the LRT at which time the incentive programs will be re-evaluated to determine if the CIP is still needed.</p>	<p>That a five year expiration from the date of Council adoption be added to each of the incentives in Section 7.2 Financial Incentive Programs.</p> <p>Section 8.5 Monitoring is amended by adding a paragraph that speaks to auditing by a third party to examine the need for incentives.</p>
2	Preference for the purchasing of land and development of city-owned parking structures.	Planning and Development Committee	Comment received and noted.	No change.
3	Details of the provision and eligibility of the TIEGs should be set out in the CIP. The requirement for Council approval would result in	Oxford Properties Group	The CIP is intended to be an enabling tool to allow the City to consider applications requesting incentives. The TIEG is structured to give flexibility depending on the type of development being proposed. Each proposal needs to be evaluated on a case-by-case basis. The needs of one proposal may be	<p>No change to the TIEG incentive.</p> <p>Staff recommend that a by-law be drafted for Council approval that delegates approval authority to the City Manager for the Development Processing Fees Grant and TIEGs up to 500,000 sq.ft.</p>

	COMMENT	RESPONDENT	STAFF RESPONSE	RECOMMENDED CHANGE
	significant uncertainty and time delays for applicants.		<p>different for another depending on the type of development proposed. Staff recommend that no changes be made to the TIEG.</p> <p>Staff have evaluated a number of options that would give the City Manager delegated authority to approve a TIEG incentive. Staff recommend that the City Manager be given the authority to approve application requests, provided they meet all the criteria and municipal goals and objectives, for the Development Processing Fees Grant and TIEGs for office development up to 500,000 sq.ft. (46,452 m²). Any application in excess of this amount would require Council approval, or once approved applications have reached the 500,000 sq.ft. (46,452 m²) approval threshold. The delegated authority does not preclude the City Manager from deferring approval to Council. Council approval would still be required for requests to the Municipally Funded Parking Program and Municipal Property Acquisition and Disposition.</p>	(46,452 m ²) of office development.
4	<p>The CIP should clarify how TIEG grants are intended to be calculated.</p> <p>Development Processing Fees Rebate Program and Municipally Funded</p>	Ministry of Municipal Affairs	<p>As noted above the intent of the TIEG grant is to provide flexibility to the City in terms of the value of incentive that could be granted.</p> <p>Reports to Council on all applications will be presented with a staff recommendation. For approvals that can be made through delegated authority, staff will prepare information reports to Council to report on</p>	No change to the TIEG incentive, however, a new paragraph is added to the "Implementation" section to speak to the valuation of the grant reflecting the assessment value conducted by MPAC and indicating that the grant reflect this amount in corresponding taxes.

	COMMENT	RESPONDENT	STAFF RESPONSE	RECOMMENDED CHANGE
	Parking Program could benefit from greater detail.		the application and grant requests.	
5	The wording “affordable price” under the Municipal Property Acquisition and Disposition section is unclear.	Staff	The intent for the Municipal Property Acquisition and Disposition incentive is revised to remove the reference to “affordable price” to reflect a price driven by the market.	Delete reference to “affordable price” and replace with “market or below market value”.
PROJECT ELIGIBILITY CRITERIA				
6	Projects requiring a minor variance would not qualify. Recommend 7.4 g and h be deleted dealing with criteria to conform to MOPA 8 and related zoning	Oxford Properties Group/Goodmans LLP.	These criteria are removed. All applications will be measured and evaluated against the planning policies in effect at the time of application.	7.4. g and h to be deleted.
7	Additional terms and conditions should be added to make clear the expectations of an applicant.	Staff	The terms and conditions of applicants granted incentives through the CIP may be different. A sample list of terms and conditions should be added as an appendix to the CIP for information only.	CIP amended to include an Appendix with terms and conditions that may apply to successful applicants.
OTHER MECHANISMS TO MINIMIZE COST OF CONSTRUCTING PARKING				
8	It would be advantageous to include other methods of directly mitigating the higher cost of parking in the Downtown.	Oxford Properties Group	<p>The intent of the CIP is to bridge the gap related to the cost of building parking so that rents can be more affordable for prospective tenants. The timing of the CIP is in-line with the completion of the LRT construction.</p> <p>New office in the downtown will benefit from the use of transit and access to the LRT and BRT, which in the long-term may reduce the</p>	No change.

	COMMENT	RESPONDENT	STAFF RESPONSE	RECOMMENDED CHANGE
			demand for parking. The City is also undertaking a Parking Master Plan so that future municipal lots are well planned and in appropriate locations. These strategies and improvements will help mitigate the high cost of constructing private parking spaces in the future.	
	CIP DOES NOT RECOGNIZE EXISTING OFFICE DEVELOPMENT			
9	The Draft Downtown CIP does not adequately acknowledge and support existing office development in the Downtown Core.	Morguard Investments Limited	<p>Existing office plays a critical role in the City's downtown economy and it is imperative to retain existing office. This CIP is intended to be a pilot. It has been many years since the City has considered the use of incentives. The City's objective is to attract new employment to the downtown, which the CIP aims to accomplish. This does not preclude future changes to the CIP that may add incentives directly targeted to existing office developments in the downtown.</p> <p>Other tools have been explored to assist the Morguard site at 200 City Centre Dr. to deal with parking constraints on their site. The City will continue to work with Morguard and other existing offices in the downtown to accommodate their parking needs if possible.</p>	No change.
	EXPECTATION FOR FUTURE OFFICE			
10	With technology, what is the expectation for office in the future? Additional parking may cause additional gridlock in the	June Samaras, Resident	Parking is still an influencing factor for tenants seeking an office location, although preference is given to locations with both parking and transit access. Office users also look for locations close to amenities. The LRT will influence changes in behaviour overtime,	No change.

	COMMENT	RESPONDENT	STAFF RESPONSE	RECOMMENDED CHANGE
	downtown		however, the provision of parking is still a requirement for office sites.	
	Consideration given to types of office in the downtown including creative industry or shared space for entrepreneurs.	Alex Lach, Resident	Creative industries are permitted in office buildings in the downtown, and are encouraged to located in the downtown especially for the purposes of creating networking hubs, synergy and innovation. These industries add to the vibrancy to the downtown and attract a young workforce.	Section 3.0 Vision of the CIP is amended to acknowledge that Creative Industry would be desired in the downtown.
	Points of Clarification			
11	References to “major office” exclude opportunities for secondary or “boutique” style office	Staff	References to “major” have been removed to allow for opportunities for secondary or “boutique” style office. The eligibility criteria identifies a minimum office gfa of 5,000 m ² , which is considered secondary office in Mississauga Official Plan.	Remove references to “major” office.
12	The Development Processing Fees Rebate indicates in the Funding section that the rebate is prorated to only apply to the office portion of the development. Should this specification be added to TIEGs and Municipally Funded Parking Program?	Staff	Since the CIP incentives only apply to the office, if a mixed used development is proposed with an office component, only the office portion would qualify for incentives. The TIEG incentive should be amended to indicate that the tax grant would be prorated to only apply to the office portion of a mixed development.	Section 7.2.1 Tax Increment Equivalent Grant (TIEG) – Funding, has been revised to indicate that the grant would be prorated to only apply to the office portion of a mixed use development.
13	3.0 Vision – reference to “Municipal Act” should be replaced with “Planning Act”	Ministry of Municipal Affairs	Agree.	Reference to “ <i>Municipal Act</i> ” to be changed to “ <i>Planning Act</i> ”.

	COMMENT	RESPONDENT	STAFF RESPONSE	RECOMMENDED CHANGE
	Elaborate on point of CIP being consistent with Official Plan, reference to policies that support using a CIP to encourage office development opportunities		Agree.	Paragraph added to reference Mississauga Official Plan (Downtown Local Area Plan) policies that support CIP for office.
14	3.0 Vision – Regional participation – required added details regarding Region’s ability to have a CIP	Ministry of Municipal Affairs	Agree.	Sentence added to reflect Regional responsibility over prescribed matters.
15	3.0 Vision – Speak to public meeting to obtain comments from the public and interested stakeholders	Staff	Agree.	Reference to the public meeting held is added along with a brief description of the comments provided and how these comments have been addressed in the revised CIP.
16	4.0 Community Improvement Project Area – include wording to speak to the Council approved by-law to expand the boundaries.	Staff	Agree.	Wording added to reflect Council approved boundary change.
17	7.2.2 Development Processing Fees Rebate – term “rebate” should be replaced with “grant”	Ministry of Municipal Affairs	Agree.	The reference to the development fees incentive to be changed to “Development Processing Fees Grant” Other references to “rebates” have been replaced with “grants”.

	COMMENT	RESPONDENT	STAFF RESPONSE	RECOMMENDED CHANGE
18	7.2.4 Municipal Property Acquisition – first sentence, final paragraph references that strategies are for private sector development. Consider changing to allow for participation of public agency or level of government	Ministry of Municipal Affairs	Agree.	7.2.4 second section under Description add the following sentence: “Prospective public agencies or governments wishing to build office buildings may also apply to this program.”
19	7.4 General Eligibility Criteria – paragraph f. CIP could reference the official plan for policies on Transportation Demand Management (TDM) measures City should consider requiring applicants to not be in tax arrears in order to be eligible for CIP incentives CIP should indicate if programs could be “stacked”/combination of programs	Ministry of Municipal Affairs	Agree. A Transportation Demand Management Master Plan is currently underway and will inform official plan policies. Mississauga Official Plan has existing policies on TDM which would apply. Agree. Agree.	Reference to Section 8.5 Transportation Demand Management of Mississauga Official Plan has been added to the criterial eligibility item on TDM. Additional criteria to be added to restrict sites that are in tax arrears from being eligible to participate in the CIP programs. Wording to be added to clarify that applicants may apply for a combination of programs.

	COMMENT	RESPONDENT	STAFF RESPONSE	RECOMMENDED CHANGE
20	8.2 Administrative Process – delete reference to corporate policies and include wording to speak to information and application forms that can be found on the Planning and Building website.	Staff	Agree.	Wording added to reference additional information and application forms located on the Planning and Building website.
21	8.3 Amending Policies Provide examples of “other major revisions”	Ministry of Municipal Affairs	Agree.	“other major revisions” is amended by added the following as examples: program time frames, eligibility criteria.
22	Figure 1 – higher quality map required The boundary should follow property lines	Ministry of Municipal Affairs	Agree. The Community Improvement Project Area boundary has been approved by Council and follows the lines of the character area boundaries in the Official Plan.	The map will be replaced to provide better clarity. No change.

K:\PLAN\POLICY\GROUP\2016 Special Projects\Downtown CIP\Public Meeting\Comments Received\RESPONSE TO COMMENTS TABLE_2.docx

the **downtown** community improvement plan

April 2017



TABLE OF CONTENTS

1.0 INTRODUCTION	1
2.0 PURPOSE OF THE CIP	1
3.0 VISION	1
4.0 COMMUNITY IMPROVEMENT PROJECT AREA	3
5.0 LEGISLATIVE AUTHORITY	3
5.1 <i>Municipal Act</i>	3
5.2 <i>Planning Act</i>	4
6.0 THE DOWNTOWN COMMUNITY IMPROVEMENT PLAN	5
6.1 Goals	5
6.2 Objective	5
7.0 INCENTIVE PROGRAMS/TOOLBOX	5
7.1 The “Toolbox” Approach	5
7.2 Financial Incentive Programs	5
7.3 Guiding CIP Principles	7
7.4 General Eligibility Criteria	8
8.0 IMPLEMENTATION	8
8.1 Activation	8
8.2 Administration Process	8
8.3 Amending Policies	8
8.4 Marketing the CIP	9
8.5 Monitoring the Plan	9
Appendix 1: Terms and Conditions for the Use of Incentives	10

1.0 INTRODUCTION

The Downtown Core Character Area (referred to as the downtown) is currently home to approximately 34,000 residents and 22,650 jobs. The downtown has been successful in attracting high density residential uses. However, no significant new office development has been constructed in the downtown in over 20 years.

In 1992, Mississauga's downtown was the most successful office location within the city, with approximately 3 million sq. ft. (279,000 m²) of prestige office space.¹ However, since then most office development has relocated to the business parks. Two of the major impediments to office development not occurring in the downtown are the cost of land and the cost of constructing underground parking.

Given vacancy rates are rising in the Greater Toronto and Hamilton Area (GTHA), there is significant competition for office.

Office development is cyclical in nature and the interest in downtowns is re-emerging. Businesses are interested in urban areas that are walkable and in close proximity to amenities and transit stations. The downtown has these, as well as, a strong residential base to support future office buildings. Although there appears to be growing interest in locating in the downtown, it is important to narrow the competitive gap between the downtown and other municipalities. New office development will support key transit infrastructure investments and the existing residential base.

¹ Mississauga Office Strategy Study, Final Report, 2008

2.0 PURPOSE OF THE CIP

The Downtown Community Improvement Plan (CIP) is a strategic tool intended to stimulate investment in office development.

This CIP is an enabling tool available to the City should a landowner or tenant be interested in participating in one or a combination of programs. The proposal must meet the criteria outlined in this CIP and advance the City's strategic priorities. All proposals are subject to City Council approval or that of its delegate.

3.0 VISION

Downtown 21 Master Plan

One of the strategic goals for the City is to create a vibrant downtown that will be the civic and cultural hub of the city, as well as a strong economic centre. The Downtown 21 Master Plan articulates the vision for the downtown and defines six guiding principles to achieve the plan's goals. They are:

1. Catalyze Employment
2. Build Multi Modal
3. Create an Urban Place
4. Living Green
5. Establish a Focus
6. Create a Development Framework with Predictability

The Downtown Core is to achieve a 1:1 population to employment ratio with a total population of 70,000 people and 70,000 jobs.

Mississauga Official Plan

Mississauga Official Plan Amendment 8 (MOPA 8) implements the vision of the Downtown 21 Master Plan. Mississauga

Official Plan (MOP) includes policies, as required by the *Planning Act*, that allow the City to designate community improvement project areas and prepare and adopt community improvement plans. The policies list the types of matters that a CIP may address, one of which is the identification of the need to encourage office and other employment opportunities.

The Downtown Local Area Plan (DLAP) includes various policies to support the provision of a community improvement plan for office in Mississauga's downtown. Attracting new jobs, particularly in the office sector to balance population and employment (Policy 4.1.c of DLAP) is identified as a guiding principle. Consideration of community improvement plans and other planning tools are identified as strategies to encourage, incent and support employment uses in the DLAP as well (Policy 5.1.3).

Type of Office in the Downtown

The top three industries in the Downtown Core are:

- Finance and Insurance
- Professional, Scientific and Technical Services
- Retail Trade

Emerging industries, such as Creative Industry, and office types, such as shared spaces, innovative spaces and cluster spaces, are highly encouraged in the downtown. These office uses would be permitted in the Office and Mixed Use designations in the Downtown Core.

This CIP is consistent with the existing MOP, MOPA 8 and Region of Peel Official Plan policies.

Regional Government Participation

Regional governments are permitted to create community improvement plans of their own or participate in those at the lower-tier level, provided they deal only with prescribed matters. The benefit of Regional involvement, especially for incentives such as Tax Increment Equivalent Grants (TIEGs), is that they can offer a larger grant than local governments, making these types of incentives more attractive to potential developers.

At this time the Region of Peel is not participating in this CIP.

Stakeholder Consultation

In the fall of 2015 staff engaged stakeholders to discuss a Community Improvement Plan, specifically the boundaries and potential incentives. The engagement revealed that in order to achieve office development, the boundary would need to capture opportunities beyond the existing downtown transit terminal. Staff also heard that incentives would help developers offset the cost of building parking. Further, Regional participation was said to be critical to the success of the program.

A public meeting was held on October 24, 2016 to provide members of the community and interested stakeholders an opportunity to comment on the draft Downtown Community Improvement Plan. There was general support for a CIP in the downtown.

Some of the comments raised at the public meeting include:

- Concern with the criteria requirement of applications complying to MOPA 8 and its related Zoning, as it would not provide for minor variance allowances

- Certainty around the amount of TIEG incentive that would be provided by the City
- Expedited timing of approvals under staff delegated authority
- Request that the incentives apply to existing office sites
- Consideration of the type of office expected in the downtown due to the changing nature of technology and its impact on office space needs and the amount of parking that would be required
- Comments on opportunities for creative industry within downtown office

Changes made to the Downtown CIP in response to these comments:

- The eligibility criteria is amended to delete the requirement that applications comply to MOPA 8 and its related zoning. Existing policies will apply
- The TIEG incentive is not changed. The CIP is intended to be an enabling tool so that applications can be considered on a case-by-case basis
- It is recommended that a by-law to delegate approval authority of the TIEG (up to a certain threshold) and Development Processing Fees Grant to the City Manager be prepared
- This CIP is intended for new office development. No changes have been made to make the incentives applicable to existing office developments
- The current office market still demands parking at a ratio greater than the zoning requirement, even if efficient transit is provided

- Creative industry is encouraged to locate in the downtown and would be permitted to do so under existing policies

4.0 COMMUNITY IMPROVEMENT PROJECT AREA

On March 6, 2013, Council passed By-law #0052-2013 thereby designating the Exchange District of the Downtown Core Character Area as a Community Improvement Project Area. By-law #0178-2016 was passed on September 14, 2016 that expanded the CIPA to the entire Downtown Core Character Area (Figure 1).

The rationale for expanding the boundary is to provide greater opportunity to attract office development to the downtown, with the objective of creating a complete community with a balanced population to employment ratio. This would ensure opportunities afforded by new light rail transit (LRT) and bus rapid transit (BRT) investments are capitalized.

The “but for” test establishes the need for the incentives and asks “but for the existence of X, would Y have occurred?”. This test applies to the downtown, i.e., but for any type of incentive, office development will likely not occur in the downtown.

5.0 LEGISLATIVE AUTHORITY

5.1 *Municipal Act*

Section 106(1) of the *Municipal Act*, 2001, c.M.45 prohibits municipalities from assisting, either directly or indirectly, any manufacturing

business or other industrial or commercial enterprise through the granting of bonuses for that purpose. However, an exception is made in Section 106(3) of the *Municipal Act*, 2001, for municipalities exercising powers under Section 28(6) or (7) of the *Planning Act*. Section 28 of the *Planning Act* allows municipalities with community improvement policy provisions in their Official Plans, to designate by by-law a “community improvement project area”. Once designated, a municipality may prepare a “Community Improvement Plan” which may provide either direct or indirect financial assistance to businesses in the designated area.

5.2 Planning Act

According to Section 28(1) of the *Planning Act*, a “community improvement project area” is defined as “a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable

because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.”

For the purposes of carrying out a CIP, a municipality may engage in the following activities within the community improvement project area:

- acquire, hold, clear, grade or otherwise prepare land for community improvement (Section 28(3))
- construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the community improvement plan (Section 28(6))
- sell, lease or otherwise dispose of any land acquired or held by it in conformity with the community improvement plan (Section 28(6))

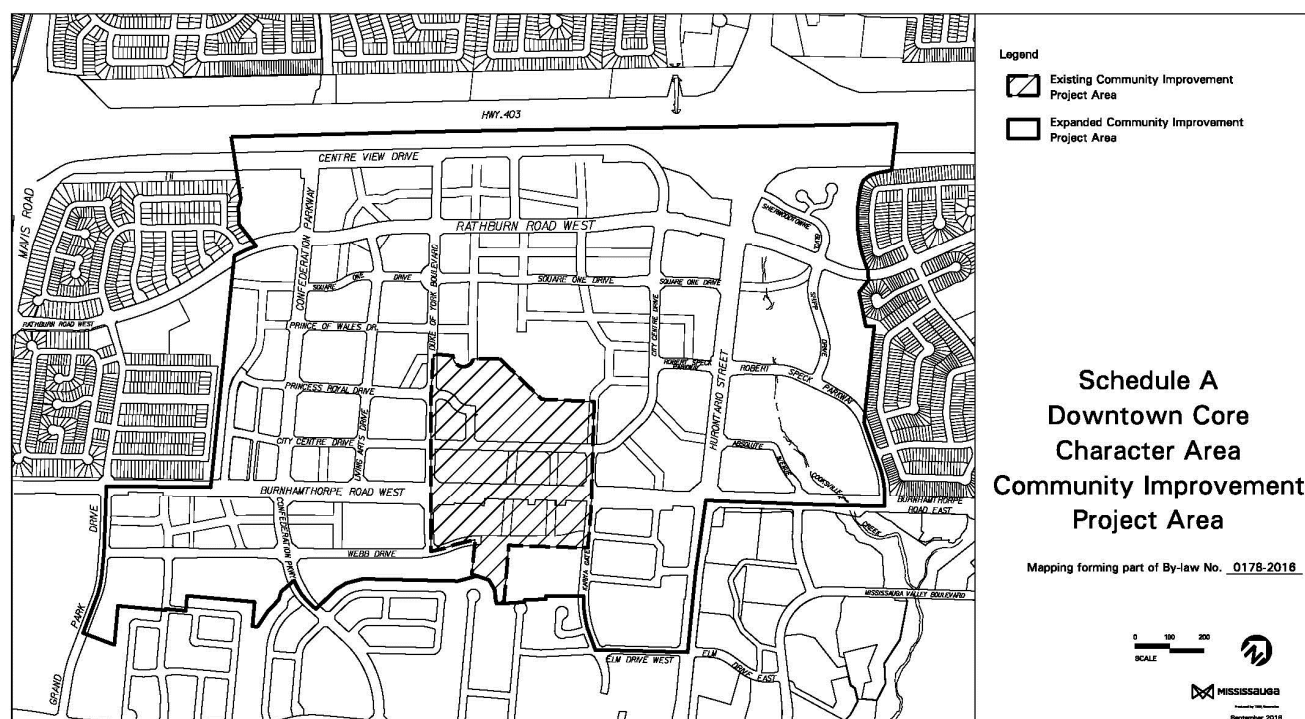


Figure 1: Downtown Core Community Improvement Project Area

- make grants or loans to registered owners, assessed owners and tenants of lands and buildings within the community improvement project area, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole or any part of the cost of rehabilitating such lands and buildings in conformity with the community improvement plan (Section 28(7))

6.0 THE DOWNTOWN COMMUNITY IMPROVEMENT PLAN

6.1 Goals

The key goal of the CIP is to attract office development, which in turn creates employment.

Attracting additional employment to the downtown will help balance growth and create an active, vibrant environment that:

- a. provides a lively, pedestrian and transit-oriented urban place that is a model, catalyst and attractor for on-going investment in the downtown
- b. supports existing and planned transit infrastructure
- c. supports arts, culture, recreation activities, institutions, entertainment and other employment uses

6.2 Objective

The objective of the Downtown CIP is to stimulate private sector investment through grant programs aimed at reducing development costs.

7.0 INCENTIVE PROGRAMS/TOOLBOX

7.1 The “Toolbox” Approach

The approach with the Downtown CIP is to enable a “toolbox” of incentives that can be used to attract office development by providing incentives to offset the high cost of parking in the downtown, subject to budget and program approval of Council or its delegate. A list of programs that are enabled as part of this CIP are set out below.

Once the CIP is adopted, some or all of the incentive programs in the toolbox may be activated. Applicants may choose to apply for one or a combination of programs. All applications are subject to a case-by-case evaluation and financial assessment.

No upfront seed money is allocated in conjunction with this Plan and the details of each program (commitment of funding, budget allocation, time limits, changes, termination, forms and instructions) are to be secured through a formal and legally binding agreement.

7.2 Financial Incentive Programs

This CIP toolbox includes the following potential incentives.

7.2.1 Tax Increment Equivalent Grant (TIEG)

Intent: To promote office development by removing the financial disincentive associated with increased property taxes related to this type of development.

Description: A Tax Increment Equivalent Grant (TIEG) is a financial incentive to improve or redevelop property. It is provided in the form of a grant equivalent to a portion of the increase in the municipal property taxes directly attributable to a development/improvement. After the development has been constructed, the City provides a grant to the property owner on an annual basis for an agreed upon term. Such grant programs often diminish in scale over their duration.

For example, the duration of the grant might be ten years. At year one, the value of the grant is equivalent to 100% of the increase in municipal property taxes due to the improvement/development. At year two, the value drops to 90% of the increase and continues to drop 10% a year until the last year of the grant program.

Funding: Limited to property taxes charged by the City and pro-rated to apply to the office development only.

Implementation: Detailed implementation including but not limited to incentive limitations, duration, funding and financial and other conditions will be determined through a formal program agreement.

If during the course of the work, the scope of the work changes, or actual costs are greater or less than estimated costs, the City reserves the right to increase or decrease the total amount of the grant. The annual grant payment will be based on the actual increase in property taxes as calculated, based on the actual re-evaluation by the Municipal Property Assessment Corporation (MPAC) following project completion.

Timing: This program is time limited for five years from the date of Council approval. Agreements that extend beyond the five year program duration remain active and valid.

7.2.2 Development Processing Fees Grant

Intent: To improve the feasibility of developing office uses in the downtown by rebating the development application and building permit fees paid for this type of proposal.

Description: For appropriate development projects, a one-time grant may be offered equivalent to the municipal planning application fees related to:

- official plan amendments
- rezonings
- minor variances and consents
- site plans, site plan amendments
- plans of subdivision

Funding: Limited to application fees charged by the City and pro-rated to apply to the office development only.

Implementation: Detailed implementation including, but not limited to, incentive limitations, duration, funding and financial and other conditions will be determined through a formal program agreement.

Timing: This program is time limited for five years from the date of Council approval. Agreements that extend beyond the five year program duration remain active and valid.

7.2.3 Municipally Funded Parking Program

Intent: To provide parking at reduced cost to the office developer.

Description: As a means of stimulating new office building development, the City may build and own a municipal stand-alone parking facility. The City may offer a below

market value rate for the rental or lease of the parking.

Alternatively, the City may co-locate a portion of municipally owned parking within a private office building development. The City would retain ownership of the facility/spaces for the long term.

Funding: Limited to capital budget approval by Council.

Implementation: Detailed implementation including, but not limited to, leasing rate, incentive limitations, duration, funding and financial and other conditions will be determined through a formal program agreement with the developer subject to approval by Council.

Timing: This program is time limited for five years from the date of Council approval. Agreements that extend beyond the five year program duration remain active and valid.

7.2.4 Municipal Property Acquisition and Disposition

Intent: To provide land at market or below market value for developments that include office.

Description: The City may acquire key properties for the purposes of redeveloping them for office buildings. The City may issue requests for proposals (RFPs) for private development of key municipal properties and/or participate in public-private partnerships (P3s) for development that achieves the objectives of the CIP. Additionally, the City may elect to dispose of City-owned lands for the purpose of attracting new office building development. Prospective public agencies or governments wishing to build office buildings may also apply to this program.

Funding: Limited to capital budget approval by Council.

Implementation: Detailed implementation would be determined at the time of land acquisition or disposition.

Timing: This program is time limited for five years from the date of Council approval. Agreements that extend beyond the five year program duration remain active and valid.

The community improvement strategies referenced above describe incentives for private sector development. Prospective public agencies or governments wishing to build office buildings may also apply to this program. The details and structuring of incentive packages will be prepared on a case-by-case basis subject to Council approval or that of its delegate.

7.3 Guiding CIP Principles

The program is designed to assist proponents who complete projects rather than those who speculate on the granting of development approvals (such as rezoning applications) only to enhance land use or density permissions.

Individual programs may not be activated or may be terminated based on Council decision or its delegate.

The level of incentive available to successful proponents is based on many factors including the following: location within the Community Improvement Project Area, type of development, quality of the proposal, public benefit, and alignment with the strategic priorities of the City.

Incentives will not be granted to office uses that are considered accessory to another use.

7.4 General Eligibility Criteria

The general eligibility criteria for participation in one or more of the Downtown CIP programs is as follows:

- a. only lands situated within the Downtown Community Improvement Project Area as outlined in Figure 1 are eligible
- b. only new construction or the adaptive reuse of existing office buildings, where the payment of increased property taxes would apply, are eligible
- c. only buildings with a minimum height of three storeys are eligible
- d. a minimum of 5,000 m² (50,000 sq. ft.) is required to be eligible
- e. only the office portion of a mixed-use development is eligible
- f. Transportation Demand Management (TDM) measures must be included in accordance with MOP Section 8.5 or related transportation master plans
- g. The subject property may not be in a position of tax arrears at the time of agreement and throughout the entire length of the agreement's duration.

8.0 IMPLEMENTATION

8.1 Activation

The Plan shall come into effect the day after the approval of the adopting by-law (and the expiration of the appeal period).

8.2 Administration Process

The Downtown CIP will be administered by the Planning and Building Department. Additional information and application forms can be found on the Planning and Building website at:

<http://www.mississauga.ca/portal/residents/planningandbuilding>

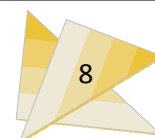
If incentives are granted, the landowner or tenant will be subject to terms and conditions, to be secured within a legally binding agreement. A list of potential terms and conditions are found in Appendix 1. The list is provided for information only as legal agreements will likely be subject to provisions beyond those listed.

8.3 Amending Policies

A formal amendment to this Community Improvement Plan is required in the following circumstances:

- changes to the Downtown Community Improvement Plan boundary
- the addition of grant, loan and incentive programs, not referred to in the Downtown Community Improvement Plan
- other major revisions (e.g. program time frames, eligibility criteria, etc.)

The discontinuation, by Council of any program referred to in the Downtown Community Improvement Plan shall not require an amendment to the Plan. Amendments are subject to the provisions of the *Planning Act* with respect to notice, public involvement and appeal provisions.



8.4 Marketing the CIP

Marketing of the Downtown CIP after it has been approved may be promoted through a number of means, including but not limited to:

- Website content on the City of Mississauga Planning and Building webpage
- Print media including a newspaper advertisement, program notice distribution to all eligible properties, brochures, press release
- A targeted social media campaign (e.g. Twitter, LinkedIn, Blog) and email communications to key stakeholders
- Utilize Economic Development Office's partners' media and websites (i.e. Invest Ontario, Toronto Global, Mississauga Board of Trade, realtors, developers)
- Development of a downtown marketing campaign
- Municipal solicitation for expressions of interest in the tool box incentives
- Meetings with key stakeholders, including property owners, Building Industry and Land Development Association (BILD) and other interest groups

costs, demand for parking, and other criteria established by staff.

8.5 Monitoring the Plan

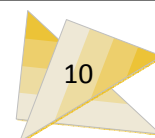
Monitoring of the CIP, program participation and performance will be conducted by the Planning and Building Department annually to provide the basis for decisions regarding program design and funding. Potential monitoring items and metrics include tax assessment totals and contribution to the City's total tax base, office vacancy rates, and value of building permits issued.

Auditing may also include a third party review of the office market to validate the "but for" test and need for incentives. This review may examine existing office rates, construction

Terms and Conditions for the Use of Incentives

The Downtown Community Improvement Plan incentive programs are subject to City Council approval or that of its delegate. If incentives are granted, the land owner or tenant may be subject to the following terms and conditions. The list provided below is for information only as legal agreements will likely be subject to provisions beyond those listed.

- a. The merits of providing financial incentives will be considered on a case-by-case basis. The decision to provide financial incentives is entirely at the discretion of the City of Mississauga Council or that of its delegate
- b. A formal agreement between the City and land owner, tenant or authorized agent is required to establish the terms of the incentive package and obligations of the City and recipients. This agreement will specify the terms, conditions, duration and default provisions of the incentive to be provided and will be subject to approval by Council or that of its delegate
- c. The development proposal meets all legal and financial obligations of the agreement
- d. The subject property may not be in a position of tax arrears at the time of agreement and throughout the entire length of the agreement's duration
- e. Where other sources of government and/or non-profit organization funding (Federal, Provincial, Municipal, Canada Mortgage and Housing Corporation (CMHC), Federation of Canadian Municipalities, etc.) are anticipated or have been secured to cover a portion of redevelopment, these must be declared prior to the approval of the agreement by Council or its delegate
- f. If the recipient fails to comply with the conditions of the agreement with the City, the City may delay, reduce or cancel the approved incentive, and require repayment of the approved incentive
- g. All proposed works approved under the financial incentive programs shall conform to all municipal by-laws, policies, procedures, standards and guidelines
- h. All works proposed under one or more of the financial incentive programs shall be in conformity with Mississauga Official Plan and other planning requirements and approvals at both the local and regional level
- i. All improvements made to buildings and/or land shall be made pursuant to a Building Permit, and/or other required permits, and constructed in accordance with the Ontario Building Code and all applicable zoning requirements and planning approvals
- j. All works completed must comply with the description of the works as provided in the application form and/or contained in the program agreement with any amendments as approved by the City



- k. When required by the City, outstanding work orders, and/or orders or requests to comply, and/or other charges from the City must be satisfactorily addressed prior to the approval/payment of the incentive
- l. City staff, officials, and/or agents of the City may inspect any property that is the subject of an application for any of the financial incentive programs offered by the City
- m. No incentive funds will be dispensed by the City until the development has been completed and received final inspection from the Planning and Building Department