

May 26, 2022

Your Worship Mayor Bonnie Crombie and City Councillors,
City of Mississauga
300 City Centre Drive
Mississauga, ON L5B 3C1

PROPOSED MAJOR TRANSIT AREA AND DUNDAS CORRIDOR OFFICIAL PLAN AMENDMENTS TO IMPLEMENT THE PROVINCIAL A PLACE TO GROW PLAN, NEW REGION OF PEEL OFFICIAL PLAN AND THE DUNDAS CONNECTS MASTER PLAN

We own **888 Dundas Street East, Mississauga** (herein the "property") which fronts onto the south side of Dundas Street East and is located to the west of the Tomken Road intersection. Our property is affectionately known as the "*Mississauga China Town*" and we are amongst the largest landowners in terms of acreage in the area.

This is the first time we were made aware of the above proposed draft Official Plan Amendments and do not understand why we were never consulted with by City Staff previously. We are also concerned with the deadline to respond to these proposed amendments, and do not understand why we do not have more time given the Region of Peel has only recently approved their new Official Plan on April 28th, 2022.

Despite the above, we nonetheless request Your Worship, City Councillors and Planning and Development Committee to direct the City of Mississauga land use planning staff to make the following changes to their draft Official Plan Amendments to implement the Provincial A Place To Grow Plan, the new Peel Region Official Plan adopted April 28th, 2022 and the City's own Dundas Connects Masterplan:

Employment Zone:

The City must remove our property from the Dixie Employment Area in accordance with the Provincial A Place To Grow Plan and the new Peel Region Official Plan adopted April 28th, 2022. The City of Mississauga "Map 17-4 Dixie Employment Area" and map "Schedule 9 Character Areas" must be consistent with the enclosed "Employment Areas Schedule E-4" of the new Region of Peel Official Plan. The Region of Peel Official Plan explicitly states:

"5.8.16 Direct the local municipalities to designate Employment Areas in accordance with Schedule E-4."

Land Use:

On May 9th, 2022, during a Statutory Public Meeting for City Staff's proposed draft Major Transit Station Area Official Plan Amendment, Councillor Carlson had sought the position of City Staff in relation to a deputation made by adjacent landowner's land use planning counsel, Mr. Peter Gross of Gowling WLG representing the Ahmed Group, for the residential mixed-use redevelopment of their lands at 1000 and 1024 Dundas Street East, Mississauga. Commissioner Andrew Whittemore, Planning & Building of City Staff responded that:

*"Through the chair, thank you for the deputation, obviously staff would be happy to sit down and discuss with you, but I will point out to the committee that this property is directly in proximity to Mother Parkers (Inc.) which is a property that you talked to just last week, so, it's a complex site, and a lot of the **complexity** of these properties in and around that area will really be fully addressed through the Dundas Connects report which I believe is coming on May 30th, so, we'll have some time to talk about that, but I just wanted to provide the PDC some content."*

We understand that the complexity concerns of City Staff outlined by Commissioner Whittemore relate to Mother Parkers Tea & Coffee Inc. who operates nearby and has lobbied the City against allowing the residential mixed-use redevelopment of our property on the basis of supposed land use compatibility concerns.

Rowan Williams Davies & Irwin Inc., a world renowned international multi-disciplinary engineering firm (herein "RWDI") have completed a Land Use Compatibility Study in accordance with the City of Mississauga Terms of Reference for Ahmed Group's lands and they have concluded that the residential mixed-use re-development of these lands would be compatible with Mother Parkers Tea & Coffee Inc.'s operations (i.e., current, and future potential noise and odours). We believe that there would be identical findings for our property, which would similarly also allow for the future redevelopment of our property for a residential mixed-use building.

Despite Ahmed Group having retained RWDI to complete a Land Use Compatibility Study that has concluded that the residential mixed-use re-development of their lands would be compatible with Mother Parkers Tea & Coffee Inc., City Staff have declined to provide Ahmed Group with a DARC meeting and propose to include both their and our property within the employment zone in the Dundas Corridor Official Plan Amendment, freezing our rights to redevelop our property for residential mixed-use purposes. The decision to freeze our land use due to "**complexity**" is contradictory to both Provincial and Regional land use policy. This is especially alarming given that the Planning Act specifically prohibits the filing of applications of appeal of land use policies within Major Transit Station Area Official Plan Amendments

Accordingly we seek the re-designation of our property on proposed draft map "Protected Major Transit Station Area Schedule 11-G" to be changed from "Mixed Use" to "Mixed Use Limited," **similar to other properties along Dundas Street and within Major Transit Station Areas**, allowing for the future redevelopment of our property for a mixed-use building containing residential uses, without the need for an Official Plan Amendment in accordance with the Provincial A Place To Grow Plan and the new Region of Peel Official Plan, as well as the recommendation on page 118 of the City's own Dundas Connects Master Plan which reads as follows:

"Lands that are currently designated mixed use along the (Dundas) corridor and near major transit stations should also allow for residential, major office and institutional uses to support the achievement of intensification targets."

This redesignation of our lands in City Staff's proposed official plan amendments would permit our lands to be truly Mixed Use and allow for a more appropriate transition to existing residential lands across the street from our property.

Height, Density, and our Right of Appeal:

- The Provincial A Place to Grow Plan Section 2.2.4.3.b. prescribes the following minimum development density for our property, which is further supported by the new Region of Peel Official Plan:

*"3. Major transit station areas on priority transit corridors or subway lines will be planned for a **minimum density target** of:*

b) 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit; or"
- On May 9th, 2022, during a Public Meeting for the Major Transit Station Area Official Plan Amendment, Councillor Parrish had rightfully questioned City Staff on the necessity of maximum heights as proposed in the draft official plan amendment, as well as the rights of landowners to appeal. The following was said:

Councillor Carolyn Parrish

"Yes, thank you very much for your presentation. I read this all very carefully, and the map, the reason I'm looking at Cooksville isn't because I'm the Councillor there it's because I'm a resident there, and I, I first of all was also Chair of the Planning and Growth Committee at the Region (of Peel), and at no point did we talk about heights? Is this a unique preoccupation with Mississauga or is this something we were instructed to look at?"

Bashar Al-Hussaini, City Planner and Project Lead

*"So in order for MTSA's to be protected MTSA's which would basically mean enable inclusionary zoning among other things and protect policies from appeal, we would need to define heights, minimum and maximum heights. **Those heights are also currently being used to guide densities within the MTSA's.** In terms of requirements for heights, we have proposed this approach because we felt that the FSI approach in terms of build-form is potentially not the best route to take, and that height requirements would be more sort of prescriptive."*

Councillor Carolyn Parrish

"So, what I'm hearing from you was this was a decision, internal decision, to look at heights rather than FSI?"

Bashar Al-Hussaini, City Planner and Project Lead

"Correct..."

Councillor Carolyn Parrish

"So, if the world is going to tall towers, tall point towers, we're going to stick with little block buildings if we have to?"

Bashar Al-Hussaini, City Planner and Project Lead

"So in terms of meeting the minimum density targets, umm..."

Councillor Carolyn Parrish

*"I get all of that. I lived in the Region – I'm telling you. **So, you're telling me that this is a decision made locally, and once it's made, if it goes into our MTSA (Major Transit Station Area Official Plan Amendment), its not appealable and there is no negotiations?**"*

Bashar Al-Hussaini, City Planner and Project Lead

"If it's approved, correct."

- City Staff's decision of using maximum heights to "**guide density**" is contradictory to both Provincial and Regional land use policy. This is especially alarming given that the Planning Act specifically prohibits filing applications of appeal of land use policies within Major Transit Station Area Official Plan Amendments.
- The ability of the City to freeze the rights of our property was to protect the above cited minimum development densities from appeal, and not to impose a maximum development density, which City Staff are now proposing indirectly through maximum building height limits.
- Accordingly, we ask that your Worship and City Councillors direct City Staff to remove the proposed maximum limit on building heights for our property as proposed on draft map Protected Major Transit Station Area Schedule 11-G.
- It is important to note existing policy in Section 9.2.1.8 of the City of Mississauga Official Plan identifies Major Transit station Areas as the preferred location for tall buildings and therefore taller building height is more appropriate for a property such as ours located directly adjacent to the upcoming Tomken Road Bus Rapid Transit Station.

Ahmed Group's Development Project at 1000 & 1024 Dundas Street East, Mississauga:

- Ahmed Group has informed us of their proposed mixed-use purpose-built rental apartment development project at 1000 & 1024 Dundas Street East, Mississauga, as shown on enclosed plans marked as Schedule B.
- We support Ahmed Group's project for their property, specifically the proposed land uses, development density and building heights.
- We ask that your Worship and City Councillors direct City Staff to meaningfully engage in discussions with Ahmed Group and expedite the review of their project.

We would like to thank Your Worship Mayor Bonnie Crombie, City Councillors, the City of Mississauga Planning and Development Committee, and the City of Mississauga land use planning staff for making the changes that we have requested to the draft Major Transit Station Area Official Plan Amendment and the draft Dundas Corridor Official Plan Amendment, to implement the Provincial A Place To Grow Plan, the new Peel Region Official Plan and the City's own Dundas Connects Masterplan.

Yours Sincerely,

1910878 ONTARIO INC.

Per: _____

Wen Qing He

President



May 6, 2022

Chairman & Members
 Planning and Development Committee
 City of Mississauga
 300 City Centre Drive
 Mississauga, ON
 L5B 3C1

Peter Gross
 Direct +1 416 862 4459
peter.gross@gowlingwlg.com

DRAFT OFFICIAL PLAN AMENDMENT FOR MAJOR TRANSIT STATION AREAS & AHMED GROUP'S MIXED USE PROJECT FOR 1000 AND 1024 DUNDAS STREET EAST, CITY OF MISSISSAUGA

We are counsel to Ahmed Developments Inc., a subsidiary of Ahmed Group of Companies Inc. ("**Ahmed Group**"). While our client supports the introduction of residential use into the Dixie Employment Area, as envisioned by the Dundas Connects Master Plan, our client is seeking changes to the draft Official Plan Amendment for Major Transit Station Areas.

WZMH Architects Inc. have prepared building concept plans for Ahmed Group's site at 1000 and 1024 Dundas Street East (the "**Subject Property**") which envision a 4 storey, 16 storey and 20 storey mixed-use building with at grade commercial uses, 462 purpose-built rental apartment units, a gross floor area of 37,817 m² (407,059 ft²) and a development density of FSI 4.66 (the "**Proposal**").

Employment Land Conversion

Although at one time the Subject Property was within a Provincially Significant Employment Zone ("**PSEZ**"), the Region of Peel (the "**Region**") and the City of Mississauga (the "**City**") both recommended to the Ontario Ministry of Municipal Affairs that the Subject Property be removed from the PSEZ. The Ahmed Group also requested that the provincial growth secretariat to remove the Subject Property from the Provincially Significant Employment Zone. Therefore, the Province removed the Subject Property from the PSEZ.

Section 2.2.5.6 of the Provincial May 2019 A Place to Grow Plan imposed an obligation on the Region to designate lands within the Region as employment areas. On April 28, 2020 the Region adopted a new Official Plan to fulfill this requirement. The Region's new Official Plan does not designate the Subject Property as employment areas. Appendix 3 in the Region's October 7, 2021 Peel 2051 Land Needs Assessment Report explicitly supported the conversion of the Subject Property to non-employment uses.

The 462 rental apartment units that the Ahmed Group is proposing for the Subject Property will assist the Region in meeting its stated goal of ensuring an adequate supply of rental housing to meet local needs. In this regard, the Proposal will assist the Region in fulfilling recently adopted Official Plan policies 5.9.3 and 5.9.11 that sets a minimum target of 25% of all new housing units having a rental tenure.

Proposal is Transit Supportive

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gowlingwlg.com

Gowling WLG (Canada) LLP is a member of Gowling WLG, an international law firm which consists of independent and autonomous entities providing services around the world. Our structure is explained in more detail at gowlingwlg.com/legal.



On June 11, 2018 the City of Mississauga Planning and Development Committee endorsed the Dundas Connects Master Plan which recommended that:

“Lands that are currently designated mixed use along the (Dundas) corridor and near major transit stations should also allow for residential, major office and institutional uses to support the achievement of intensification targets.”

Ahmed Group’s Proposal implements this recommendation.

On March 4, 2022 the Federal Government, Provincial Government and the City of Mississauga announced that they would collectively be contributing \$675 million in funding to three transit projects within the City of Mississauga. The design and construction of Dundas Bus Rapid transit line between Cooksville and Etobicoke is one of these three projects. In addition, the environmental assessment studies for the Dundas Bus Rapid transit line are also proceeding.

Section 1.1.1 e) of the Provincial Policy Statement promotes transit supportive development, intensification, a cost-effective development pattern, optimization of transit investments and minimizing land consumption. The proposed maximum 9 storey building height limit for the Subject Property within the draft Official Plan Amendment precludes the optimization of the above described transit investment. Ahmed Group’s proposed buildings are 16 and 20 storeys in height on a 4 storey podium with a development density of 4.66 which optimizes this transit investment. Ahmed Group’s Proposal is transit supportive, with a development density and built form that minimizes land consumption and represents a cost-effective development pattern.

Section 2.2.4 of the A Place to Grow Plan seeks to maximize the number of potential transit riders within walking distance of a station in a major transit station area on a priority transit corridor. The 462 rental apartment units on the Subject Property could accommodate a large resident population. These future residents would have convenient pedestrian access to the planned Tomken Road Bus Rapid Transit Station located to northwest of the property. Thus this project would increase the number of potential transit system users.

In addition, Section 2.2.4.9 d) of the A Place to Grow Plan prohibits land uses in a built form that would adversely affect the achievement of transit supportive densities. The proposed maximum 9 story building height limit for the Subject Lands within the draft Official Plan Amendment for Major Transit Station Areas is not consistent with this provincial policy.

The Region’s new Official Plan Map E-5 Major Transit Station Area includes the Subject Property within the Primary Major Transit Station Area for the planned Tomken Road Bus Rapid Transit Station.

The Proposal’s 462 rental apartment units within a compact urban form and the creation of a vibrant public realm by including highest intensity transit supportive grade related commercial uses close to the planned bus rapid transit station conforms with section 2.2.1.4.9.e) of the A Place to Grow Plan.

The maximum 9 storey building height limit proposed for the Subject Lands does not conform with section 9.2.1.8 of the City of Mississauga Official Plan which states that “the preferred location of tall buildings will be in proximity to existing and planned major transit station areas”. The 16 and 20 storey building components of the Proposal represent tall buildings whereas a building which is 9 storeys in height does not represent a tall building within a major transit station area.



To partially implement the Dundas Connects Master Plan, the City adopted Official Plan Amendment 106 which increased the ultimate width of the Dundas Street East road allowance adjacent to the Subject Property to 42 metres. Section 9.2.19 of the City's Official Plan states that where the right-of-way width exceeds 20 metres a greater building height may be required to achieve appropriate street enclosure in relation to the right-of-way with. The Proposal would achieve better street enclosure and more effectively implement this Official Plan policy than a building restricted to the maximum 9 storey building height contained in the proposed Official Plan Amendment for Major Transit Station Areas.

Ahmed Group's project will assist the City in realizing the Dundas Connects Master Plan vision for the Dundas Street corridor which is that it become a destination which is:

"Urban and Bold. Urbanize, improve transit, intensify land use, and create transit-oriented development. Give the corridor a strong identity, making it 'the street' of Mississauga".

"...a safe, unique destination where people want to walk, bike, eat, shop, and be entertained."

The mapping from the City of Mississauga 2019 Parks and Forestry Master Plan indicates that the Subject Property is located within the service area of the following types of existing parks and recreation facilities: natural grass fields (page 53), ball diamonds (page 55), outdoor pools (page 60), basketball courts (page 62), play sites (page 73), leash free zones (page 76) and community centre with outdoor artificial ice (page 78).

Since City staff has refused to host a DARC meeting to consider Ahmed Group's Proposal, we respectfully request the Planning and Development Committee to direct the City staff to consider the documentation that Ahmed Group will be submitting in support of the changes they are requesting to the draft Official Plan Amendment for Major Transit Station Areas.

Ahmed Group is clearly addressing Provincial and Regional housing requirements through their proposed purpose-built rental apartment unit project. Building construction costs in the City are constantly increasing. Therefore, delaying the processing of Ahmed Group project will increase the construction cost for these new rental apartment units. If the City land use planning staff support the delivery of lower cost rental apartment units within the City, the Proposal should not be delayed.

Yours truly,

Gowling WLG (Canada) LLP

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

Peter Gross

PG



May 27, 2022

Your Worship Mayor Bonnie Crombie and City Councillors,
City of Mississauga
300 City Centre Drive
Mississauga, ON L5B 3C1

PROPOSED MAJOR TRANSIT AREA AND DUNDAS CORRIDOR OFFICIAL PLAN AMENDMENTS TO IMPLEMENT THE PROVINCIAL A PLACE TO GROW PLAN, NEW REGION OF PEEL OFFICIAL PLAN AND THE DUNDAS CONNECTS MASTER PLAN

We own **2560 and 2564 Confederation Parkway, Mississauga** (herein the “property”) which fronts onto the west side of Confederation Parkway and is located to the south of the Dundas Street and Confederation Parkway intersection. Our property consists of two vacant land parcels that are ripe for redevelopment.

We are concerned with the deadline to respond to the above cited proposed amendments, and do not understand why we do not have more time given the Region of Peel has only recently adopted their new Official Plan on April 28th, 2022.

Despite the above, we nonetheless request Your Worship, City Councillors and Planning and Development Committee to direct the City of Mississauga land use planning staff to make the following changes to their draft Official Plan Amendments to implement the Provincial A Place To Grow Plan, the new Peel Region Official Plan and the City’s own Dundas Connects Masterplan:

Proposed Confederation Parkway Major Transit Area Boundary:

As shown in Figure 1, 2, and 3 in the Appendix, our property has been excluded from the Confederation Parkway Major Transit Station Area Boundary (herein “**MTSA**”). There is no equitable explanation for three sides surrounding our property to be included while our property is excluded. In addition, there is a Bus Rapid Transit Station proposed at the corner of Dundas Street and Confederation Parkway which is less than 150 metres from our property as shown in Figure 4 and 5 in the Appendix. In light of Figure 1, 2, 3, 4, and 5, it is absurd for our property to be excluded from the MTSA given its proximity to future transit, and whereas properties much further away are included in the proposed MTSA. We will be approaching the Region of Peel to seek an amendment to include both our and the adjacent properties to be within the MTSA in the Regional Official Plan that was recently adopted April 28th, 2022.

Employment Zone:

The City of Mississauga “Map 17-4 Dixie Employment Area” and map “Schedule 9 Character Areas” must be consistent with the enclosed “Employment Areas Schedule E-4” of the new Region of Peel Official Plan. The Region of Peel Official Plan explicitly states:

“5.8.16 Direct the local municipalities to designate Employment Areas in accordance with Schedule E-4.”

Land Use:

We ask that your Worship and City Councillors direct City Staff to re-designate our property on proposed draft map “Protected Major Transit Station Area Schedule 11-G” to be changed from “Mixed Use” to “Residential High Density,” **similar to other properties to the north and west of our property**, allowing for the future redevelopment of our property for a multi-family residential building, without the need for an Official Plan Amendment in accordance with the Provincial A Place To Grow Plan and the new Region of Peel Official Plan, as well as the recommendation on page 118 of the City’s own Dundas Connects Master Plan which reads as follows:

Ahmed Group (2560+2564 Confederation Pkwy) Inc.
1024 Dundas St. E., Mississauga, Ontario L5N 1W1
P: 905-949-0999 • F: 905-949-9489 • W: www.Ahmed.Group



“Lands that are currently designated mixed use along the (Dundas) corridor and near major transit stations should also allow for residential, major office and institutional uses to support the achievement of intensification targets.”

It is important to note our property has historically been used for residential land uses. Recently, our property was re-zoned to permit residential dwelling units above ground floor commercial, and was labeled Mixed Use in the Mississauga Official Plan. It is accordingly appropriate for our property to be considered for Residential High Density. This redesignation of our lands in City Staff's proposed official plan amendments would allow for a more appropriate transition to existing residential lands that surround our property. Further our consultants have concluded that our property and surrounding properties are ideal candidates for the redesignation to Residential High Density. This redesignation will assist to achieve the Provincial A Place to Grow Plan and new Region of Peel Official Plan objectives, in relation to much needed rental housing.

Height, Density, and our Right of Appeal:

- The Provincial A Place to Grow Plan Section 2.2.4.3.b. prescribes the following minimum development density for our property:

*“3. Major transit station areas on priority transit corridors or subway lines will be planned for a **minimum density target** of:*

b) 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit; or”

- On May 9th, 2022, during a Public Meeting for the Major Transit Station Area Official Plan Amendment, Councillor Parrish had rightfully questioned City Staff on the necessity of maximum heights as proposed in the draft official plan amendment, as well as the rights of landowners to appeal. The following was said:

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Bashar Al-Hussaini, City Planner and Project Lead

*“So in order for MTSA's to be protected MTSA's which would basically mean enable inclusionary zoning among other things and protect policies from appeal, we would need to define heights, minimum and maximum heights. **Those heights are also currently being used to guide densities within the MTSA's.** In terms of requirements for heights, we have proposed this approach because we felt that the FSI approach in terms of build-form is potentially not the best route to take, and that height requirements would be more sort of prescriptive.”*

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“Correct...”

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"If it's approved, correct."

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- It is important to note existing policy in Section 9.2.1.8 of the City of Mississauga Official Plan identifies Major Transit station Areas as the preferred location for tall buildings and therefore taller building height is more appropriate for a property such as ours located in close proximity to the upcoming Confederation Parkway Bus Rapid Transit Station.

Ahmed Group's Development Project at 1000 & 1024 Dundas Street East, Mississauga:

- Ahmed Group (1000 Dundas St. E.) Inc. and Ahmed Group (1024 Dundas St. E.) Inc. are subsidiaries of the Ahmed Group along with us, and as such we are fully aware of the particulars for their proposed mixed-use purpose-built rental apartment development located at 1000 & 1024 Dundas Street East, Mississauga, as shown on enclosed plans marked as Schedule B.
- We fully support their proposed development, including the land uses, density, building heights and massing.
- We ask that your Worship and City Councillors direct City Staff to meaningfully engage in discussions with Ahmed Group (1000 Dundas St. E.) Inc. and Ahmed Group (1024 Dundas St. E.) Inc. and expedite the review of their project.

We would like to thank Your Worship Mayor Bonnie Crombie, City Councillors, the City of Mississauga Planning and Development Committee, and the City of Mississauga land use planning staff for making the changes that we have requested to the draft Major Transit Station Area Official Plan Amendment and the draft Dundas Corridor Official Plan Amendment, to implement the Provincial A Place To Grow Plan, the new Peel Region Official Plan and the City's own Dundas Connects Masterplan.

Yours Sincerely,

AHMED GROUP (2560+2564 CONFEDERATION PKWY) INC.

Per: _____

Moe Ahmed, President and CEO

Ahmed Group (2560+2564 Confederation Pkwy) Inc.

1024 Dundas St. E., Mississauga, Ontario L5N 1W1

P: 905-949-0999 • F: 905-949-9489 • W: www.Ahmed.Group



c.c:

1. Your Worship Mayor Bonnie Crombie - mayor@mississauga.ca
2. Ward 1 - Councillor Stephen Dasko - stephen.dasko@mississauga.ca
3. Ward 2 - Councillor Pat Mullin - pat.mullin@mississauga.ca
4. Ward 3 – Councillor Chris Fonseca - chris.fonseca@mississauga.ca
5. Ward 4 – Councillor John Kovac - john.kovac@mississauga.ca
6. Ward 5 – Councillor Carolyn Parrish - carolyn.parrish@mississauga.ca
7. Ward 6 – Councillor Ron Starr - ron.starr@mississauga.ca
8. Ward 7 – Councillor Dipika Damerla - dipika.damerla@mississauga.ca
9. Ward 8 – Councillor Matt Mahoney - matt.mahoney@mississauga.ca
10. Ward 9 – Councillor Pat Saito - pat.saito@mississauga.ca
11. Ward 10 – Councillor Sue McFadden - sue.mcfadden@mississauga.ca
12. Ward 11 – Councillor George Carlson - george.carlson@mississauga.ca
13. Commissioner Planning and Building – Andrew Whitemore – andrew.whitemore@mississauga.ca
14. City Clerk and Director, Legislative Services – Diana Rusnov – diana.rusnov@mississauga.ca
15. Moe Ahmed, President and CEO, Ahmed Group – m@ahmed.group
16. Jose Garreton, Senior Project Manager, Ahmed Group – jose@ahmed.group
17. Peter Gross, Partner, Gowling WLG – peter.gross@gowlingwlq.com
18. Brian Parker, Senior Land Planner, Gowling WLG – brian.parker@gowlingwlq.com
19. John Lohmus, Senior Land Planner, Plan Logic Consulting – johnlohmus@outlook.com

APPENDIX

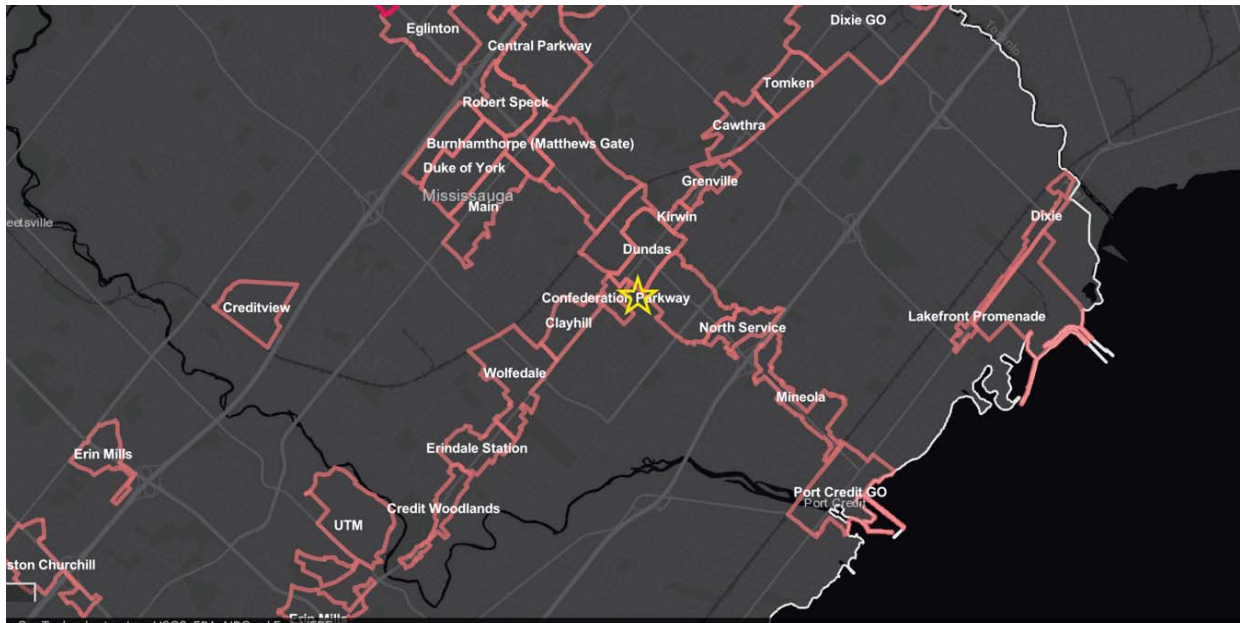


Figure 1: MTSA Boundaries

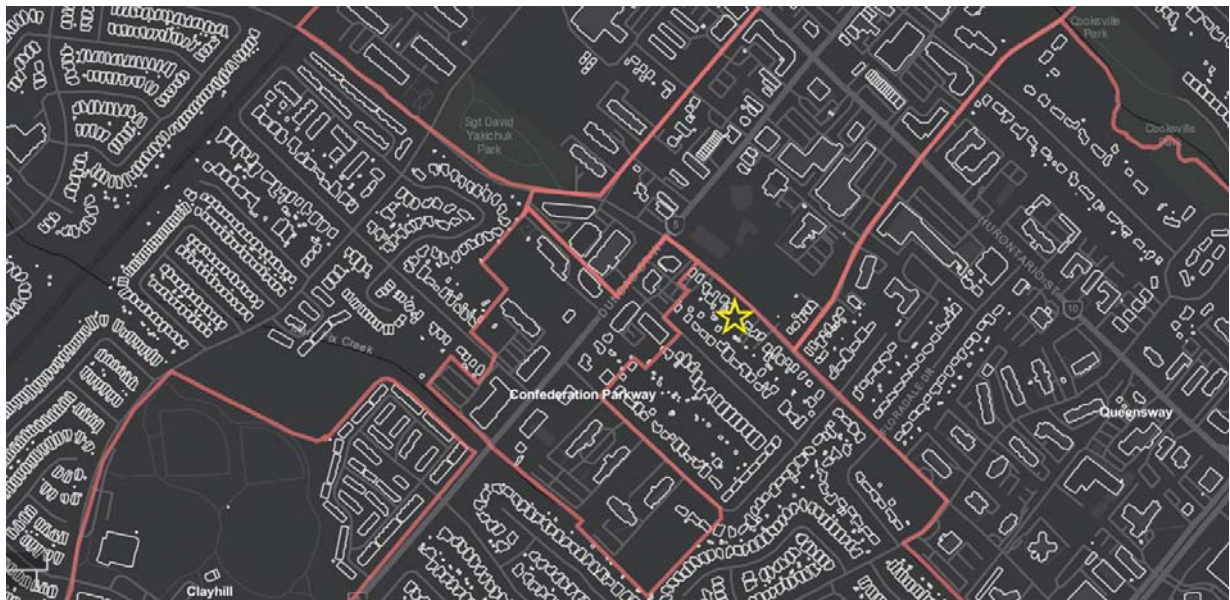


Figure 2: MTSA Boundaries



Figure 3: MTSA Boundaries

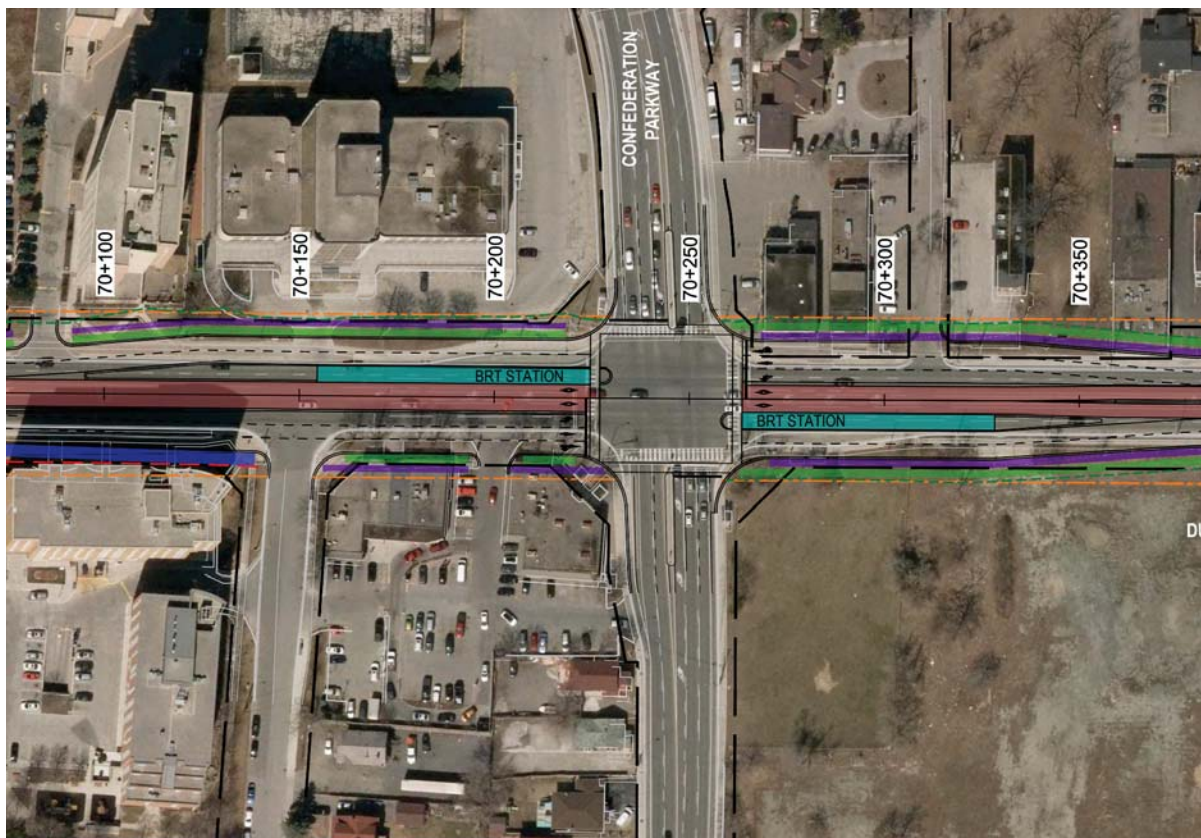


Figure 4: Proposed Location of BRT Station

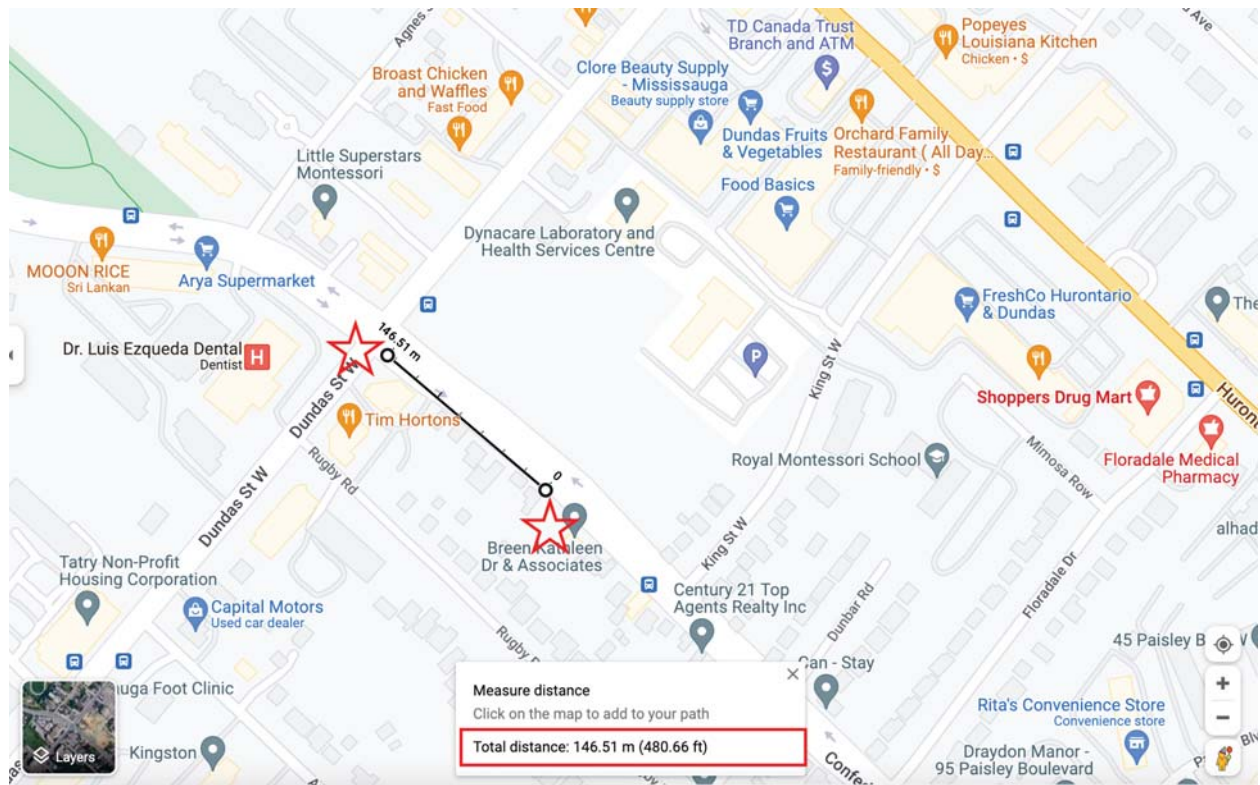
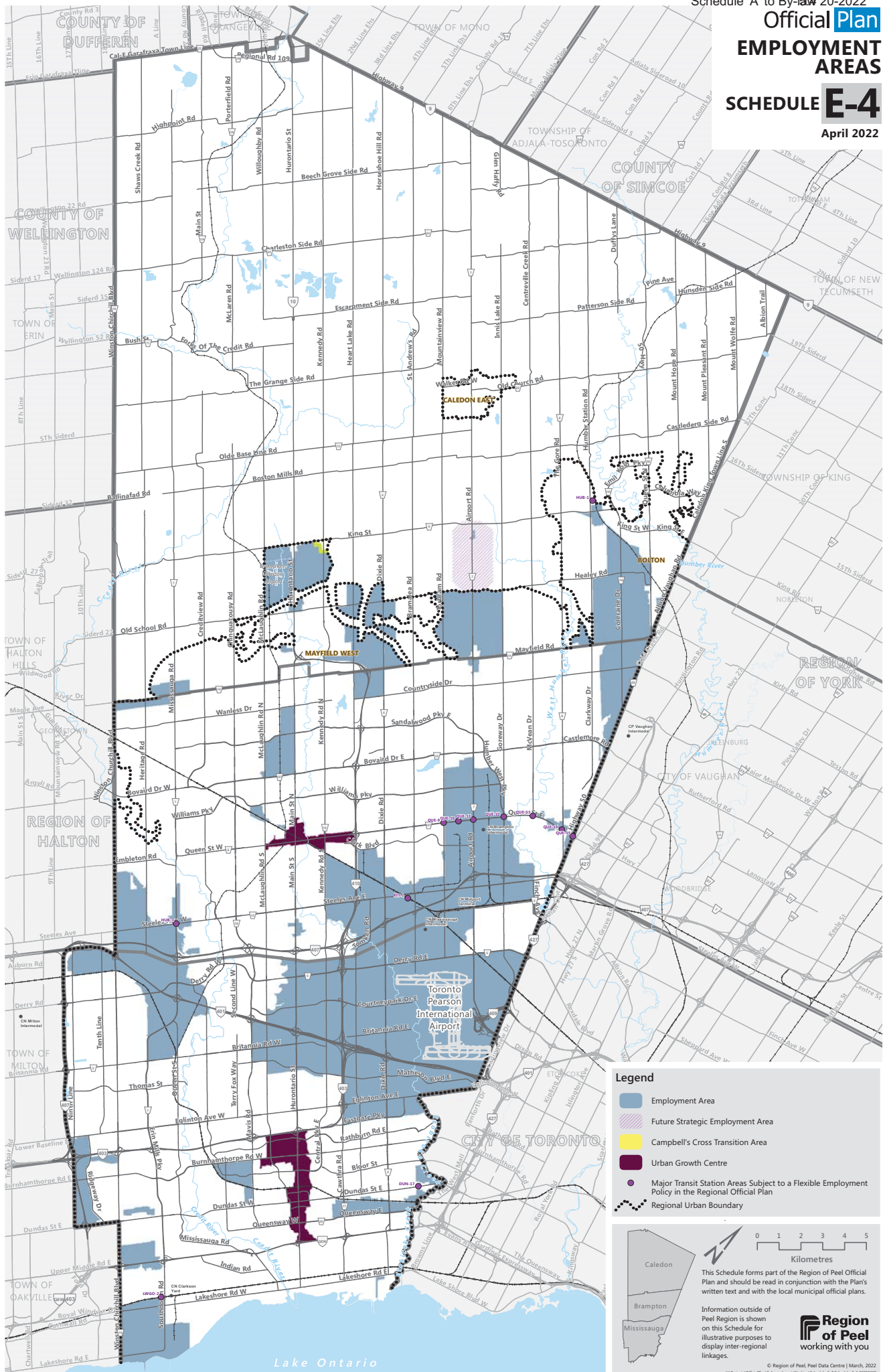


Figure 5: Property Proximity to Proposed BRT Station



Legend

- Employment Area
- Future Strategic Employment Area
- Campbell's Cross Transition Area
- Urban Growth Centre
- Major Transit Station Areas Subject to a Flexible Employment Policy in the Regional Official Plan
- Regional Urban Boundary

Scale

0 1 2 3 4 5
 Kilometres

This Schedule forms part of the Region of Peel Official Plan and should be read in conjunction with the Plan's written text and with the local municipal official plans.

Information outside of Peel Region is shown on this Schedule for illustrative purposes to display inter-regional linkages.

Region of Peel
 working with you

© Region of Peel, Peel Data Centre | March, 2022
 V:\projects\OfficialPlan2_Amendments\WorkingSchedule_E-4Schedule_4-4-20202022

no	specimen / person	date
1	1st specimen of blood	01/01/2020
2	2nd specimen of blood	02/01/2020
3	3rd specimen of blood	03/01/2020
4	4th specimen of blood	04/01/2020
5	5th specimen of blood	05/01/2020
6	6th specimen of blood	06/01/2020
7	7th specimen of blood	07/01/2020
8	8th specimen of blood	08/01/2020
9	9th specimen of blood	09/01/2020
10	10th specimen of blood	10/01/2020
11	11th specimen of blood	11/01/2020
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Subs

WZMH ARCHITECTS
1930 Cherry Ave SE
Suite 100
Boulder, CO 80501
303.440.1234

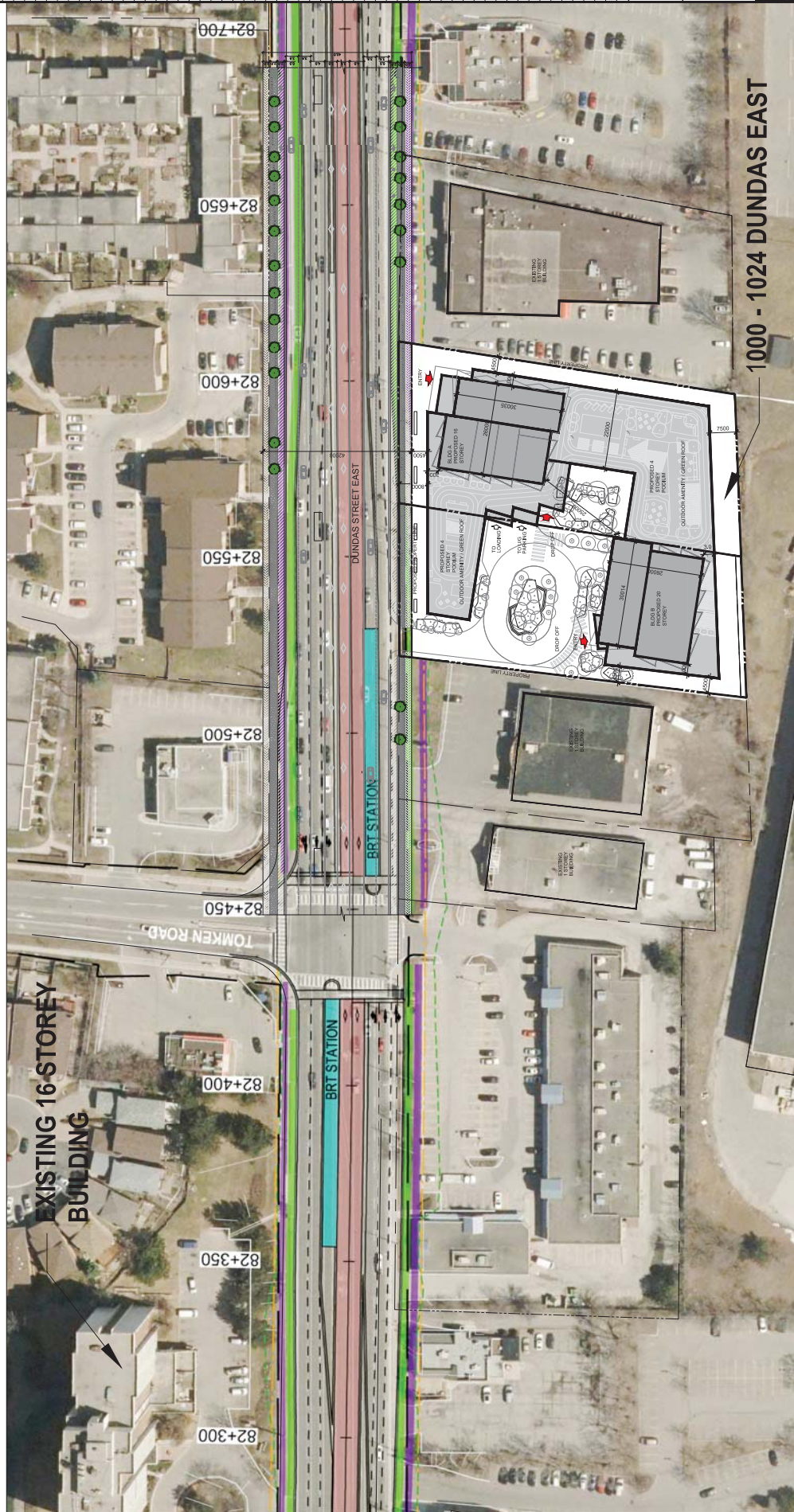
1000-1024 DUNDAS
MISSISSAUGA, ONTARIO

Sheet Title

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Scale: 1:400

07395.000



LEGEND

PROPOSED BRT LANE
PROPOSED BRT STATION
EXISTING ROW
MISSISSAUGA OR 42nd ROW

PROPOSED SIDEWALK
PROPOSED CYCLE TRACK
PROPOSED MUP
APPROXIMATE GRADING LIMITS
PROPOSED RETAINING WALL


Ashley (Group of Companies)

918 Dundas Street E., Suite 500
Mississauga, ON
L4Y 4H9

Office: 905-276-9980

Fax: 905-276-9957

Email: aohmain@ashleyoakshomes.com

584463 ONTARIO LIMITED

May 27, 2022

Your Worship Mayor Bonnie Crombie and City Councillors,
City of Mississauga
300 City Centre Drive
Mississauga, ON L5B 3C1

**PROPOSED MAJOR TRANSIT AREA AND DUNDAS COORIDOR OFFICIAL PLAN
AMENDMENTS TO IMPLEMENT THE PROVINCIAL A PLACE TO GROW PLAN,
NEW REGION OF PEEL OFFICIAL PLAN AND THE DUNDAS CONNECTS MASTER
PLAN**

We own **918, 920 and 922 Dundas Street East, Mississauga** (herein the “property”) which fronts onto the south side of Dundas Street East and is located to the west of the Tomken Road intersection.

We request Your Worship, City Councillors and Planning and Development Committee to direct the City of Mississauga land use planning staff to make the following changes to their draft Official Plan Amendments to implement the Provincial A Place To Grow Plan, the new Peel Region Official Plan adopted April 28th, 2022 and the City’s own Dundas Connects Masterplan:

Employment Zone:

The City must remove our property from the Dixie Employment Area in accordance with the Provincial A Place To Grow Plan and the new Peel Region Official Plan adopted April 28th, 2022. The City of Mississauga “Map 17-4 Dixie Employment Area” and map “Schedule 9 Character Areas” must be consistent with the enclosed “Employment Areas Schedule E-4” of the new Region of Peel Official Plan. The Region of Peel Official Plan explicitly states:

“5.8.16 Direct the local municipalities to designate Employment Areas in accordance with Schedule E-4.”

Land Use:

On May 9th, 2022, during a Statutory Public Meeting for City Staff’s proposed draft Major Transit Station Area Official Plan Amendment, Councillor Carlson had sought the position of City Staff in relation to a deputation made by adjacent landowner’s land use planning counsel, Mr. Peter Gross of Gowling WLG representing the Ahmed Group, for the residential mixed-use redevelopment of their lands at 1000 and 1024 Dundas Street East, Mississauga. Commissioner Andrew Whittemore, Planning & Building of City Staff responded that:

*"Through the chair, thank you for the deputation, obviously staff would be happy to sit down and discuss with you, but I will point out to the committee that this property is directly in proximity to Mother Parkers (Inc.) which is a property that you talked to just last week, so, it's a complex site, and a lot of the **complexity** of these properties in and around that area will really be fully addressed through the Dundas Connects report which I believe is coming on May 30th, so, we'll have some time to talk about that, but I just wanted to provide the PDC some content."*

We understand that the complexity concerns of City Staff outlined by Commissioner Whittemore relate to Mother Parkers Tea & Coffee Inc. who operates nearby and has lobbied the City against allowing the residential mixed-use redevelopment of our property on the basis of supposed land use compatibility concerns.

Rowan Williams Davies & Irwin Inc., a world renowned international multi-disciplinary engineering firm (herein "RWDI") have completed a Land Use Compatibility Study in accordance with the City of Mississauga Terms of Reference for Ahmed Group's lands and they have concluded that the residential mixed-use re-development of these lands would be compatible with Mother Parkers Tea & Coffee Inc.'s operations (i.e., current, and future potential noise and odours). We believe that there would be identical findings for our property, which would similarly also allow for the future redevelopment of our property for a residential mixed-use building.

Despite Ahmed Group having retained RWDI to complete a Land Use Compatibility Study that has concluded that the residential mixed-use re-development of their lands would be compatible with Mother Parkers Tea & Coffee Inc., City Staff have declined to provide Ahmed Group with a DARC meeting and propose to include both their and our property within the employment zone in the Dundas Corridor Official Plan Amendment, freezing our rights to redevelop our property for residential mixed-use purposes. The decision to freeze our land use due to "**complexity**" is contradictory to both Provincial and Regional land use policy. This is especially alarming given that the Planning Act specifically prohibits the filing of applications of appeal of land use policies within Major Transit Station Area Official Plan Amendments

Accordingly we seek the re-designation of our property on proposed draft map "Protected Major Transit Station Area Schedule 11-G" to be changed from "Mixed Use" to "Mixed Use Limited," **similar to other properties along Dundas Street and within Major Transit Station Areas**, allowing for the future redevelopment of our property for a mixed-use building containing residential uses, without the need for an Official Plan Amendment in accordance with the Provincial A Place To Grow Plan and the new Region of Peel Official Plan, as well as the recommendation on page 118 of the City's own Dundas Connects Master Plan which reads as follows:

"Lands that are currently designated mixed use along the (Dundas) corridor and near major transit stations should also allow for residential, major office and institutional uses to support the achievement of intensification targets."

This redesignation of our lands in City Staff's proposed official plan amendments would permit our lands to be truly Mixed Use and allow for a more appropriate transition to existing residential lands across the street from our property.

Height, Density, and our Right of Appeal:

- The Provincial A Place to Grow Plan Section 2.2.4.3.b. prescribes the following minimum development density for our property, which is further supported by the new Region of Peel Official Plan:

*“3. Major transit station areas on priority transit corridors or subway lines will be planned for a **minimum density target** of:*

b) 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit; or”

- On May 9th, 2022, during a Public Meeting for the Major Transit Station Area Official Plan Amendment, Councillor Parrish had rightfully questioned City Staff on the necessity of maximum heights as proposed in the draft official plan amendment, as well as the rights of landowners to appeal. The following was said:

Councillor Carolyn Parrish

Yes, thank you very much for your presentation. I read this all very carefully, and the map, the reason I'm looking at Cooksville isn't because I'm the Councillor there it's because I'm a resident there, and I, I first of all was also Chair of the Planning and Growth Committee at the Region (of Peel), and at no point did we talk about heights? Is this a unique preoccupation with Mississauga or is this something we were instructed to look at?

Bashar Al-Hussaini, City Planner and Project Lead

*So in order for MTSA's to be protected MTSA's which would basically mean enable inclusionary zoning among other things and protect policies from appeal, we would need to define heights, minimum and maximum heights. **Those heights are also currently being used to guide densities within the MTSA's.** In terms of requirements for heights, we have proposed this approach because we felt that the FSI approach in terms of build-form is potentially not the best route to take, and that height requirements would be more sort of prescriptive.*

Councillor Carolyn Parrish

So, what I'm hearing from you was this was a decision, internal decision, to look at heights rather than FSI?

Bashar Al-Hussaini, City Planner and Project Lead

Correct...

Councillor Carolyn Parrish

So, if the world is going to tall towers, tall point towers. We're going to stick with little block buildings if we have to?

Bashar Al-Hussaini, City Planner and Project Lead

So in terms of meeting the minimum density targets, umm...

Councillor Carolyn Parrish

*I get all of that. I lived in the Region – I'm telling you. **So, you're telling me that this is a decision made locally, and once it's made, if it goes into our MTSA (Major Transit Station Area Official Plan Amendment), its not appealable and there is no negotiations?***

Bashar Al-Hussaini, City Planner and Project Lead
If it's approved, correct.

- City Staff's decision of using maximum heights to "**guide density**" is contradictory to both Provincial and Regional land use policy. This is especially alarming given that the Planning Act specifically prohibits filing applications of appeal of land use policies within Major Transit Station Area Official Plan Amendments.
- The ability of the City to freeze the rights of our property was to protect the above cited minimum development densities from appeal, and not to impose a maximum development density, which City Staff are now proposing indirectly through maximum building height limits.
- Accordingly, we ask that your Worship and City Councillors direct City Staff to remove the proposed maximum limit on building heights for our property as proposed on draft map Protected Major Transit Station Area Schedule 11-G.
- It is important to note existing policy in Section 9.2.1.8 of the City of Mississauga Official Plan identifies Major Transit station Areas as the preferred location for tall buildings and therefore taller building height is more appropriate for a property such as ours located directly adjacent to the upcoming Tomken Road Bus Rapid Transit Station.

Ahmed Group's Development Project at 1000 & 1024 Dundas Street East, Mississauga:

- Ahmed Group has informed us of their proposed mixed-use purpose-built rental apartment development project at 1000 & 1024 Dundas Street East, Mississauga, as shown on enclosed plans marked as Schedule B.
- We support Ahmed Group's project for their property, specifically the proposed land uses, development density and building heights.
- We ask that your Worship and City Councillors direct City Staff to meaningfully engage in discussions with Ahmed Group and expedite the review of their project.

We would like to thank Your Worship Mayor Bonnie Crombie, City Councillors, the City of Mississauga Planning and Development Committee, and the City of Mississauga land use planning staff for making the changes that we have requested to the draft Major Transit Station Area Official Plan Amendment and the draft Dundas Corridor Official Plan Amendment, to implement the Provincial A Place To Grow Plan, the new Peel Region Official Plan and the City's own Dundas Connects Masterplan.

Yours Sincerely,

584463 ONTARIO LIMITED (ASHLEY GROUP)

Per: 

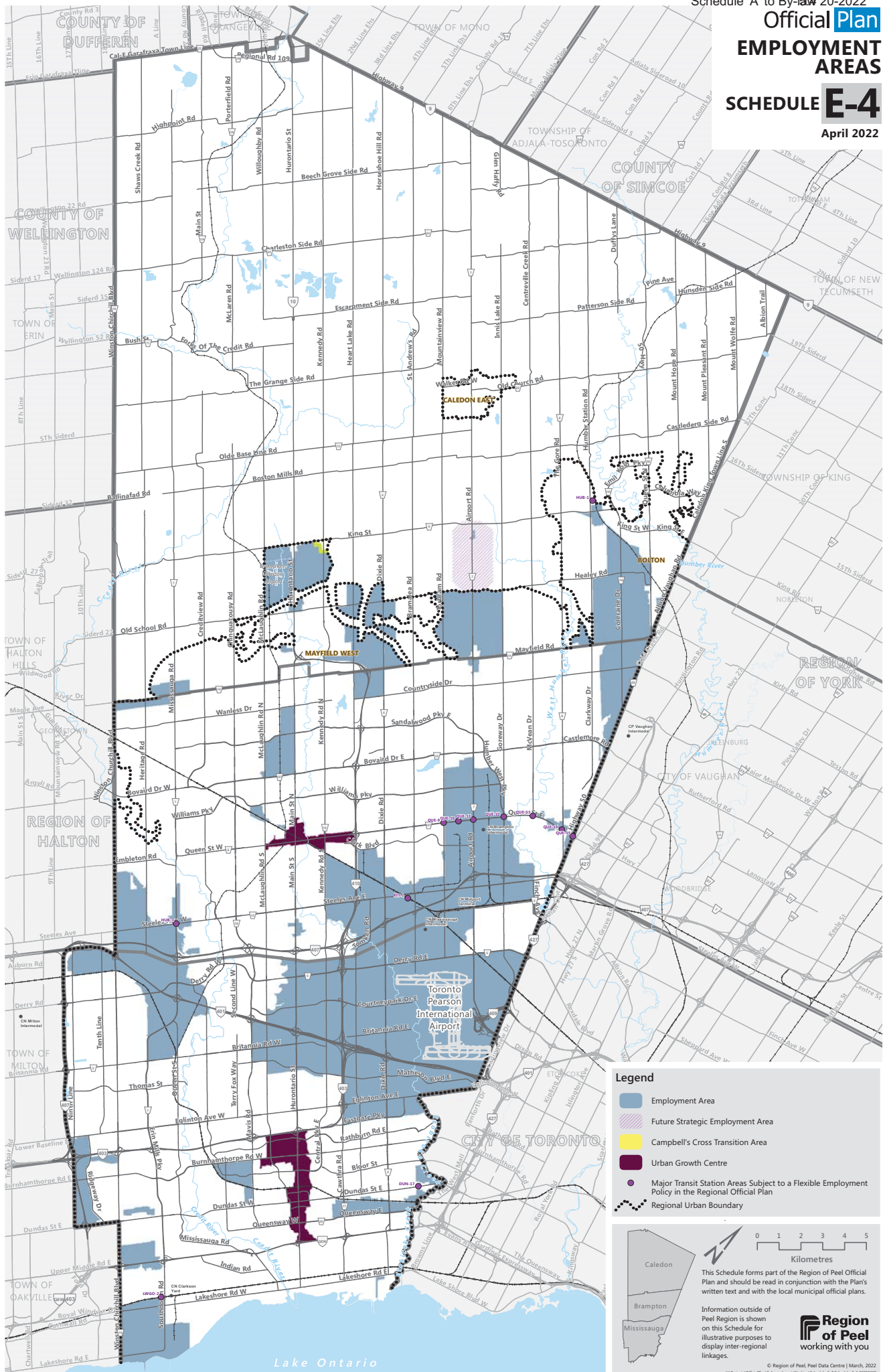
Andjelka Vuckovic, President

c.c:

1. Your Worship Mayor Bonnie Crombie - mayor@mississauga.ca
2. Ward 1 - Councillor Stephen Dasko - stephen.dasko@mississauga.ca
3. Ward 2 - Councillor Pat Mullin - pat.mullin@mississauga.ca

4. Ward 3 – Councillor Chris Fonseca - chris.fonseca@mississauga.ca
5. Ward 4 – Councillor John Kovac - john.kovac@mississauga.ca
6. Ward 5 – Councillor Carolyn Parrish - carolyn.parrish@mississauga.ca
7. Ward 6 – Councillor Ron Starr - ron.starr@mississauga.ca
8. Ward 7 – Councillor Dipika Damerla - dipika.damerla@mississauga.ca
9. Ward 8 – Councillor Matt Mahoney - matt.mahoney@mississauga.ca
10. Ward 9 – Councillor Pat Saito - pat.saito@mississauga.ca
11. Ward 10 – Councillor Sue McFadden - sue.mcfadden@mississauga.ca
12. Ward 11 – Councillor George Carlson - george.carlson@mississauga.ca
13. Commissioner Planning and Building – Andrew Whittemore – andrew.whittemore@mississauga.ca
14. City Clerk and Director, Legislative Services – Diana Rusnov – diana.rusnov@mississauga.ca
15. Moe Ahmed, President and CEO, Ahmed Group – m@ahmed.group
16. Timothy Harris, COO, Ahmed Group – timothy@ahmed.group
17. Jose Garreton, Senior Project Manager, Ahmed Group – jose@ahmed.group
18. Peter Gross, Partner, Gowling WLG – peter.gross@gowlingwlg.com
19. Brian Parker, Senior Land Planner, Gowling WLG – brian.parker@gowlingwlg.com

John Lohmus, Senior Land Planner, Plan Logic Consulting – johnlohmus@outlook.com



no	specimen / person	date
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Atlanta, GA 30316
(404) 525-1200

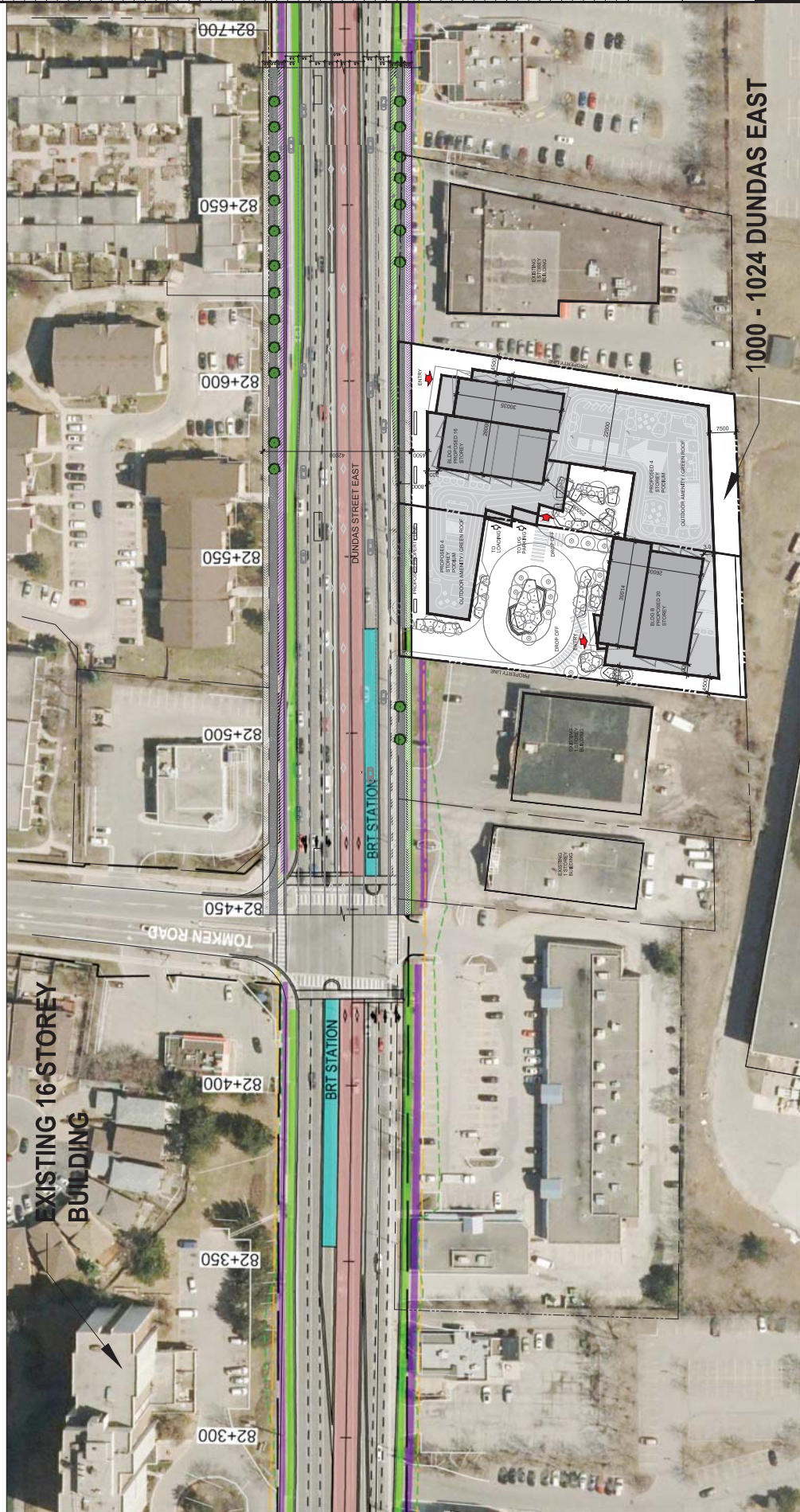
1000-1024 DUNDAS
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Sheet Title

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From: [Diana Rusnov](#)
To: [Bashar Al-Hussaini](#)
Subject: FW: PROPOSED MAJOR TRANSIT AREA AND DUNDAS COORIDOR
Date: Thursday, June 2, 2022 2:02:48 PM
Attachments: [Outlook-rhzbcmhg.png](#)
[Schedule A.pdf](#)
[Schedule B.pdf](#)

For your file/info

From: Linda Rabbito [mailto:linda@trutone.ca]
Sent: Friday, May 27, 2022 12:22 PM
To: Mayor Bonnie Crombie <mayor@mississauga.ca>
Cc: Stephen Dasko <Stephen.Dasko@mississauga.ca>; Pat Mullin <Pat.Mullin@mississauga.ca>; Chris Fonseca <Chris.Fonseca@mississauga.ca>; John Kovac <John.Kovac@mississauga.ca>; Carolyn Parrish <Carolyn.Parrish@mississauga.ca>; Ron Starr <Ron.Starr@mississauga.ca>; Dipika Damerla <Dipika.Damerla@mississauga.ca>; Matt Mahoney <Matt.Mahoney@mississauga.ca>; Pat Saito <Pat.Saito@mississauga.ca>; Sue McFadden <Sue.McFadden@mississauga.ca>; George Carlson <George.CARLSON@mississauga.ca>; Andrew Whittemore <Andrew.Whittemore@mississauga.ca>; Diana Rusnov <Diana.Rusnov@mississauga.ca>; m@ahmed.group; timothy@ahmed.group; Jose Garreton <jose@ahmed.group>; peter.gross@gowlingwlg.com; brian.parker@gowlingwlg.com; johnlohmus@outlook.com
Subject: PROPOSED MAJOR TRANSIT AREA AND DUNDAS COORIDOR

**B.L.W. HOLDINGS LTD.
 980 Dundas St. E.
 Mississauga, ON L4Y 2B8
 905-270-3440**

May 25, 2022

Your Worship Mayor Bonnie Crombie and City Councillors,
 City of Mississauga
 300 City Centre Drive
 Mississauga, ON L5B 3C1

-

PROPOSED MAJOR TRANSIT AREA AND DUNDAS COORIDOR OFFICIAL PLAN AMENDMENTS TO IMPLEMENT THE PROVINCIAL A PLACE TO GROW PLAN, NEW REGION OF PEEL OFFICIAL PLAN AND THE DUNDAS CONNECTS MASTER PLAN

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Despite Ahmed Group having retained RWDI to complete a Land Use Compatibility Study that has concluded that the residential mixed-use re-development of their lands would be compatible with Mother Parkers Tea & Coffee Inc., City Staff have declined to provide Ahmed Group with a DARC meeting and propose to include both their and our property within the employment zone in the Dundas Corridor Official Plan Amendment, freezing our rights to redevelop our property for residential mixed-use purposes. The decision to freeze our land use due to “**complexity**” is contradictory to both Provincial and Regional land use policy. This is especially alarming given that the Planning Act specifically prohibits the filing of applications of appeal of land use policies within Major Transit Station Area Official Plan Amendments

Accordingly we seek the re-designation of our property on proposed draft map “Protected Major Transit Station Area Schedule 11-G” to be changed from “Mixed Use” to “Mixed Use Limited,” **similar to other properties along Dundas Street and within Major Transit Station Areas**, allowing for the future redevelopment of our property for a mixed-use building containing residential uses, without the need for an Official Plan Amendment in accordance with the Provincial A Place To Grow Plan and the new Region of Peel Official Plan, as well as the recommendation on page 118 of the City’s own Dundas Connects Master Plan which reads as follows:

“Lands that are currently designated mixed use along the (Dundas) corridor and near major transit stations should also allow for residential, major office and institutional uses to support the achievement of intensification targets.”

This redesignation of our lands in City Staff’s proposed official plan amendments would permit our lands to be truly Mixed Use and allow for a more appropriate transition to existing residential lands across the street from our property.

Height, Density, and our Right of Appeal:

The Provincial A Place to Grow Plan Section 2.2.4.3.b. prescribes the following minimum development density for our property, which is further supported by the new Region of Peel Official Plan:

*“3. Major transit station areas on priority transit corridors or subway lines will be planned for a **minimum density target** of:*

b) 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit; or”

On May 9th, 2022, during a Public Meeting for the Major Transit Station Area Official Plan Amendment, Councillor Parrish had rightfully questioned City Staff on the necessity of maximum heights as proposed in the draft official plan amendment, as well as the rights of landowners to appeal. The following was said:

Councillor Carolyn Parrish

Yes, thank you very much for your presentation. I read this all very carefully, and the map, the reason I'm looking at Cooksville isn't because I'm the Councillor there it's because I'm a resident there, and I, I first of all was also Chair of the Planning and Growth Committee at the Region (of Peel), and at no point did we talk about heights? Is this a unique preoccupation with Mississauga or is this something we were instructed to look at?

Bashar Al-Hussaini, City Planner and Project Lead

*So in order for MTSAs to be protected MTSAs which would basically mean enable inclusionary zoning among other things and protect policies from appeal, we would need to define heights, minimum and maximum heights. **Those heights are also currently being used to guide densities within the MTSAs.** In terms of requirements for heights, we have proposed this approach because we felt that the FSI approach in terms of build-form is potentially not the best route to take, and that height requirements would be more sort of prescriptive.*

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So, what I'm hearing from you was this was a decision, internal decision, to look at heights rather than FSI?

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Correct...

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So, if the world is going to tall towers, tall point towers. We're going to stick with little block buildings if we have to?

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So in terms of meeting the minimum density targets, umm...

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*I get all of that. I lived in the Region – I'm telling you. **So, you're telling me that this is a decision made locally, and once it's made, if it goes into our MTSA (Major Transit Station Area Official Plan Amendment), its not appealable and there is no negotiations?***

Bashar Al-Hussaini, City Planner and Project Lead

If it's approved, correct.

City Staff's decision of using maximum heights to “**guide density**” is contradictory to both Provincial and Regional land use policy. This is especially alarming given that the Planning Act specifically prohibits filing applications of appeal of land use policies within Major Transit Station Area Official Plan Amendments.

The ability of the City to freeze the rights of our property was to protect the above cited minimum development densities from appeal, and not to impose a maximum development density, which City Staff are now proposing indirectly through maximum building height limits.

Accordingly, we ask that your Worship and City Councillors direct City Staff to remove the proposed maximum limit on building heights for our property as proposed on draft map Protected Major Transit Station Area Schedule 11-G.

It is important to note existing policy in Section 9.2.1.8 of the City of Mississauga Official Plan identifies Major Transit station Areas as the preferred location for tall buildings and therefore taller building height is more appropriate for a property such as ours located directly adjacent to the upcoming Tomken Road Bus Rapid Transit Station.

Ahmed Group's Development Project at 1000 & 1024 Dundas Street East, Mississauga:

- Ahmed Group has informed us of their proposed mixed-use purpose-built rental apartment development project at 1000 & 1024 Dundas Street East, Mississauga, as shown on enclosed plans marked as Schedule B._

We support Ahmed Group's project for their property, specifically the proposed land uses, development density and building heights. _

We ask that your Worship and City Councillors direct City Staff to meaningfully engage in discussions with Ahmed Group and expedite the review of their project.

We would like to thank Your Worship Mayor Bonnie Crombie, City Councillors, the City of Mississauga Planning and Development Committee, and the City of Mississauga land use planning staff for making the changes that we have requested to the draft Major Transit Station Area Official Plan Amendment and the draft Dundas Corridor Official Plan Amendment, to implement the Provincial A Place To Grow Plan, the new Peel Region Official Plan and the City's own Dundas Connects Masterplan.

Yours Sincerely,

BLW HOLDINGS INC.

Per: 

Mr. Bob Rabbito, President

c.c:

Your Worship Mayor Bonnie Crombie - mayor@mississauga.ca
 Ward 1 - Councillor Stephen Dasko - stephen.dasko@mississauga.ca
 Ward 2 - Councillor Pat Mullin - pat.mullin@mississauga.ca
 Ward 3 - Councillor Chris Fonseca - chris.fonseca@mississauga.ca
 Ward 4 - Councillor John Kovac - john.kovac@mississauga.ca
 Ward 5 - Councillor Carolyn Parrish - carolyn.parrish@mississauga.ca
 Ward 6 - Councillor Ron Starr - ron.starr@mississauga.ca
 Ward 7 - Councillor Dipika Damerla - dipika.damerla@mississauga.ca
 Ward 8 - Councillor Matt Mahoney - matt.mahoney@mississauga.ca
 Ward 9 - Councillor Pat Saito - pat.saito@mississauga.ca
 Ward 10 - Councillor Sue McFadden - sue.mcfadden@mississauga.ca
 Ward 11 - Councillor George Carlson - george.carlson@mississauga.ca
 Commissioner Planning and Building - Andrew Whittemore - andrew.whittemore@mississauga.ca
 City Clerk and Director, Legislative Services - Diana Rusnov - diana.rusnov@mississauga.ca
 Moe Ahmed, President and CEO, Ahmed Group - m@ahmed.group
 Timothy Harris, COO, Ahmed Group - timothy@ahmed.group
 Jose Garreton, Senior Project Manager, Ahmed Group - jose@ahmed.group
 Peter Gross, Partner, Gowling WLG - peter.gross@gowlingwlg.com
 Brian Parker, Senior Land Planner, Gowling WLG - brian.parker@gowlingwlg.com
 John Lohmus, Senior Land Planner, Plan Logic Consulting - johnlohmus@outlook.com

Respectfully,

Linda Rabbito
 Office Administrator

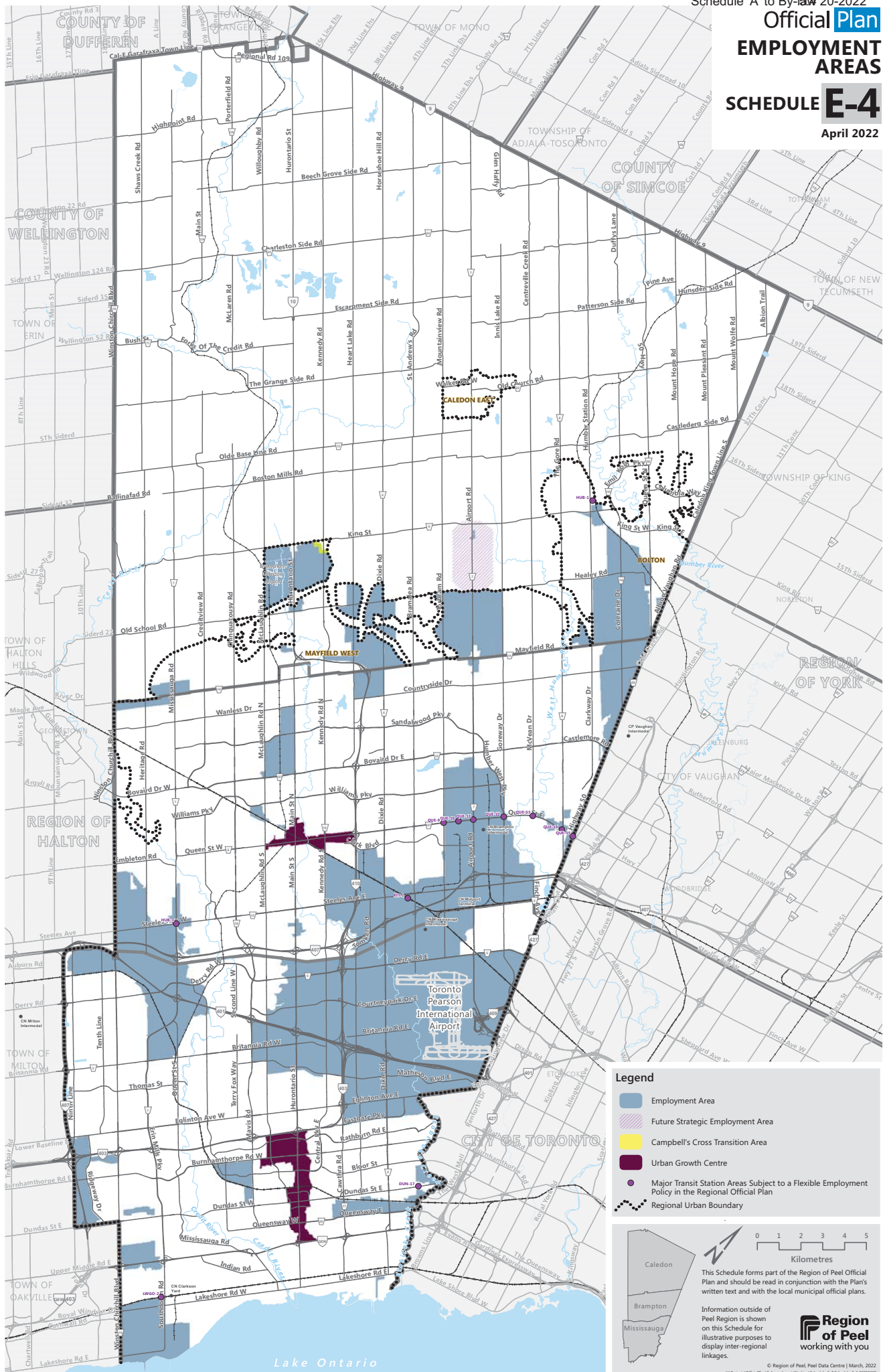
Trutone Electronics

T: 905-270-3440

Cell:

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Legend

- Employment Area
- Future Strategic Employment Area
- Campbell's Cross Transition Area
- Urban Growth Centre
- Major Transit Station Areas Subject to a Flexible Employment Policy in the Regional Official Plan
- Regional Urban Boundary

Scale

0 1 2 3 4 5
Kilometres

This Schedule forms part of the Region of Peel Official Plan and should be read in conjunction with the Plan's written text and with the local municipal official plans.

Information outside of Peel Region is shown on this Schedule for illustrative purposes to display inter-regional linkages.

Region of Peel
 working with you

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[illegible]

Check and verify if donations and report any discrepancies to the Commission when and as called in the statute. The award is not to be used for the purpose of verifying donations.

This statute shall not be used for contribution programs will signed and added in the open books by the above mentioned Commission.

Issued For Contribution

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1930 Cherry Ave SE
Suite 100
Boulder, CO 80501
303.440.1234

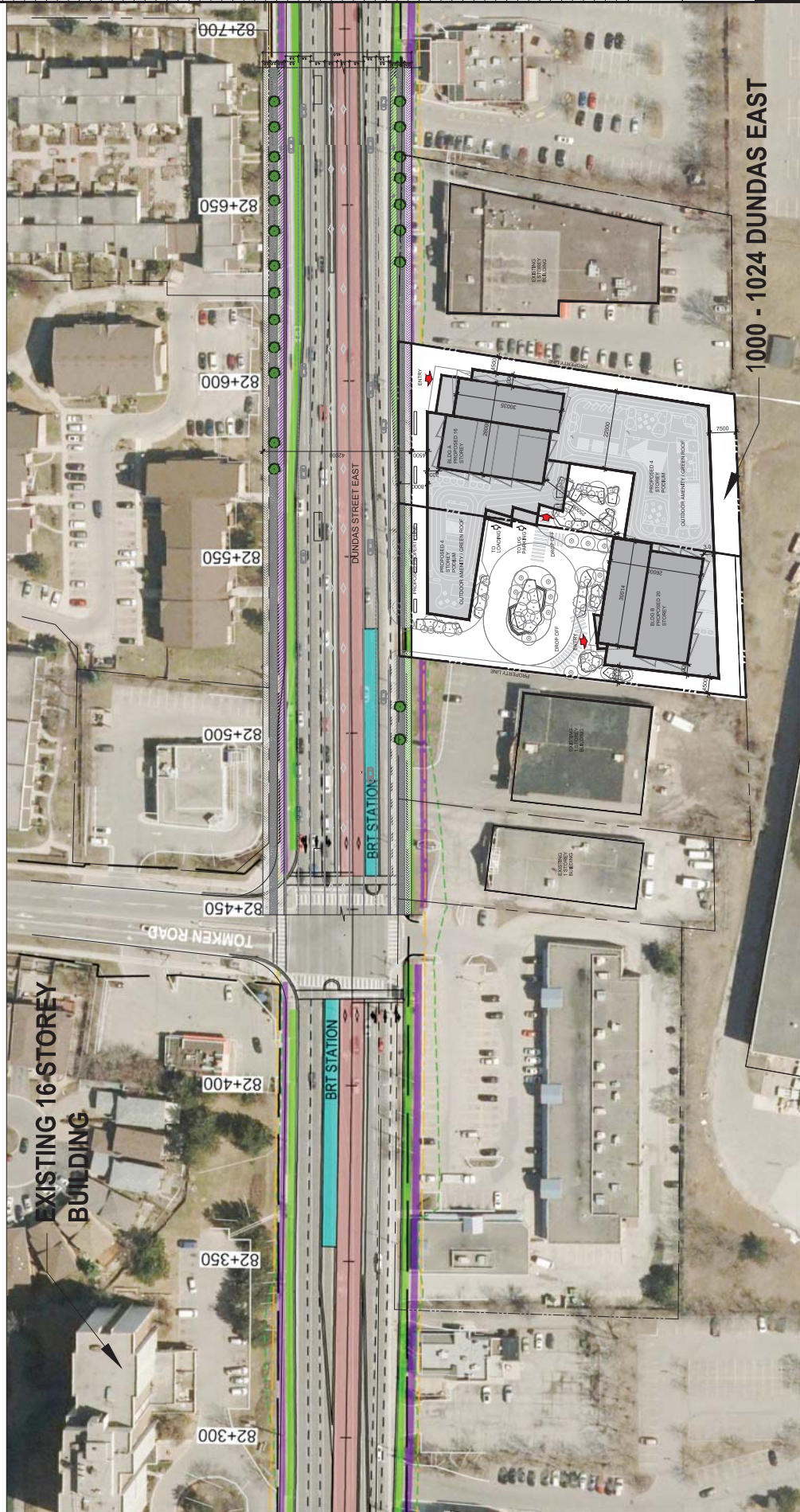
1000-1024 DUNDAS
MISSISSAUGA, ONTARIO

Sheet Title

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Scale: 1:400

07395.000



LEGEND

PROPOSED BRT LANE
PROPOSED BRT STATION
EXISTING ROW
MISSISSAUGA OR 42nd ROW

PROPOSED SIDEWALK
PROPOSED CYCLE TRACK
PROPOSED MUP
APPROXIMATE GRADING LIMITS
PROPOSED RETAINING WALL

May 30, 2022

File No.: 589429-1

Sent Via Email: Andrew.whittemore@mississauga.ca and Jason.bevan@mississauga.ca

Mr. Andrew Whittemore, Commissioner of Planning and Building
 Mr. Jason Bevan, Director, City Planning Strategies
 City of Mississauga
 300 City Centre Drive
 Mississauga, ON L5B 3C1

Dear Sirs:

Re: City-Wide Major Transit Station Area Study – Draft OPA
Your File: LA.07-CIT
Our Client: Bronte College
Our Client's Property: 88 Bronte College Court and 2156 Hurontario Street, Mississauga

We are the solicitors for Bronte College which is the owner of property municipally known as 88 Bronte College Court and 2156 Hurontario Street in the City of Mississauga ("Subject Property"). Our client operates a private school at 88 Bronte College Court.

We have been actively participating in the Downtown Fairview, Cooksville and Hospital Policy Review- Draft Official Plan Amendment and Built Form Standards process since the Subject Property is located within the Downtown Hospital Policy Review Area. On February 2, 2022, we filed a letter with Mayor Crombie and City Council advising of our client's general concern regarding the potential impact of the proposed Downtown Hospital Policies on the Subject Property followed by a meeting with Mayor Crombie, Councillor Damerla and Planning staff to discuss our client's concerns regarding the proposed redevelopment of the adjacent hospital site, specifically in regard to the location of the proposed, above grade, parking garage immediately opposite the Bronte College student residence. A further meeting was held with Planning staff regarding the implications of the proposed redevelopment of the Mississauga Hospital site and of the Draft Downtown Hospital Policy Review Official Plan Amendment, followed by a letter submission to Planning and Development Committee dated May 4, 2022 and most recently, an in-person deputation to Planning and Development Committee on May 9, 2022.

Although it is our client's interest to remain at their current location, we have concerns that the Hospital site redevelopment will not be able to incorporate acceptable mitigation solutions dealing with such matters as noise, air quality, light and shadowing. This may result in the Collage needing to look at other options. Accordingly, we need to ensure that the Subject Property is being considered for it's future highest and best use.

Fernanda Lopes & Associados ► Guevara & Gutierrez ► Paz Horowitz Abogados ► Sirote ► Adepetun Caxton-Martins Agbor & Segun ► Davis Brown ► East African Law Chambers ► Eric Silwamba, Jalasi and Linyama ► Durham Jones & Pinegar ► LEAD Advogados ► Rattagan Macchiavello Arocena ► Jiménez de Aréchaga, Viana & Brause ► Lee International ► Kensington Swan ► Bingham Greenebaum ► Cohen & Grigsby ► Sayarh & Menjra ► For more information on the firms that have come together to form Dentons, go to [dentons.com/legacyfirms](https://www.dentons.com/legacyfirms)

We have put forward our position that the Subject Property has far greater height potential than what is currently proposed in the Draft Downtown Hospital Policy Review Official Plan Amendment. This is based, in part, on the following:

- Bronte College Court currently serves only non-residential uses, allowing for intensification with no impact on stable, local, residential streets;
- The Subject Lands are located adjacent to the Mississauga Hospital site which is being redeveloped for a full range of uses, in addition to the hospital itself;
- Based on information currently available, the maximum height proposed on the Hospital site is equivalent to 35 to 40 residential storeys; and
- The Subject Lands are located to the northwest of a site, municipally known as 2114, 2124, 2130 Hurontario Street and 2095 – 2143 Grange Drive (the “Gordon Woods Condo” site), which is zoned for a maximum building height of 29 residential storeys.

It is, therefore, our respectful submission that the maximum height for the Subject Lands should fall between the maximum height for the Hospital site and the approved height of 29 storeys on the Gordon Woods Condo site.

Based on our continued, active participation in the Downtown Hospital Policy Review process, we expect that any policy revisions to our client’s property will also be reflected in the City-Wide Major Transit Station Area Study - Draft Official Plan Amendment. Accordingly, please accept this letter as our formal request for notice regarding any future information and proceedings related to same.

Yours truly,

Dentons Canada LLP



Mary Ellen Bench
Counsel

MEB/ap

Copy: Megan Piercey, Legislative Coordinator, Legislative Services (megan.piercey@mississauga.ca)
Li Chia, Bronte College (lichia@brontecollege.ca)



May 25, 2022

Your Worship Mayor Bonnie Crombie and City Councilors,
City of Mississauga
300 City Centre Drive
Mississauga, ON L5B 3C1

PROPOSED MAJOR TRANSIT AREA AND DUNDAS COORIDOR OFFICIAL PLAN AMENDMENTS TO IMPLEMENT THE PROVINCIAL A PLACE TO GROW PLAN, NEW REGION OF PEEL OFFICIAL PLAN AND THE DUNDAS CONNECTS MASTER PLAN

We are the Property Managers, authorized to act on behalf of the owners of the plaza having municipal address **960 and 966 Dundas Street East, Mississauga** (herein the "Property") which fronts onto the south side of Dundas Street East and is located to the west of the Tomken Road intersection.

We request Your Worship, City Councillors and Planning and Development Committee to direct the City of Mississauga land use planning staff to make the following changes to their draft Official Plan Amendments to implement the Provincial A Place To Grow Plan, the new Peel Region Official Plan adopted April 28th, 2022 and the City's own Dundas Connects Masterplan:

Employment Zone:

The City must remove our property from the Dixie Employment Area in accordance with the Provincial A Place To Grow Plan and the new Peel Region Official Plan adopted April 28th, 2022. The City of Mississauga "Map 17-4 Dixie Employment Area" and map "Schedule 9 Character Areas" must be consistent with the enclosed "Employment Areas Schedule E-4" of the new Region of Peel Official Plan. The Region of Peel Official Plan explicitly states:

"5.8.16 Direct the local municipalities to designate Employment Areas in accordance with Schedule E-4."

Land Use:

On May 9th, 2022, during a Statutory Public Meeting for City Staff's proposed draft Major Transit Station Area Official Plan Amendment, Councillor Carlson had sought the position of City Staff in relation to a deputation made by adjacent landowner's land use planning counsel, Mr. Peter Gross of Gowling WLG representing the Ahmed Group, for the residential mixed-use redevelopment of their lands at 1000 and 1024 Dundas Street East, Mississauga. Commissioner Andrew Whittemore, Planning & Building of City Staff responded that:

*"Through the chair, thank you for the deputation, obviously staff would be happy to sit down and discuss with you, but I will point out to the committee that this property is directly in proximity to Mother Parkers (Inc.) which is a property that you talked to just last week, so, it's a complex site, and a lot of the **complexity** of these properties in and around that area will really be fully addressed through the Dundas Connects report which I believe is coming on May 30th, so, we'll have some time to talk about that, but I just wanted to provide the PDC some content."*

We understand that the complexity concerns of City Staff outlined by Commissioner Whittemore relate to Mother Parkers Tea & Coffee Inc. who operates nearby and has lobbied the City against allowing the residential mixed-use redevelopment of our property on the basis of supposed land use compatibility concerns.

Rowan Williams Davies & Irwin Inc., a world renowned international multi-disciplinary engineering firm (herein "RWDI") have completed a Land Use Compatibility Study in accordance with the City of Mississauga Terms of Reference for Ahmed Group's lands and they have concluded that the residential mixed-use re-development of these lands would be compatible with Mother Parkers Tea & Coffee Inc.'s operations (i.e., current, and future potential noise and odours). We believe that there would be identical findings for our property, which would similarly also allow for the future redevelopment of our property for a residential mixed-use building.

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Accordingly we seek the re-designation of our property on proposed draft map "Protected Major Transit Station Area Schedule 11-G" to be changed from "Mixed Use" to "Mixed Use Limited," **similar to other properties along Dundas Street and within Major Transit Station Areas**, allowing for the future redevelopment of our property for a mixed-use building containing residential uses, without the need for an Official Plan Amendment in accordance with the Provincial A Place To Grow Plan and the new Region of Peel Official Plan, as well as the recommendation on page 118 of the City's own Dundas Connects Master Plan which reads as follows:

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Ahmed Group's Development Project at 1000 & 1024 Dundas Street East, Mississauga:

- Ahmed Group has informed us of their proposed mixed-use purpose-built rental apartment development project at 1000 & 1024 Dundas Street East, Mississauga, as shown on enclosed plans marked as Schedule B.
- We support Ahmed Group's project for their property, specifically the proposed land uses, development density and building heights.
- We ask that your Worship and City Councillors direct City Staff to meaningfully engage in discussions with Ahmed Group and expedite the review of their project.

We would like to thank Your Worship Mayor Bonnie Crombie, City Councillors, the City of Mississauga Planning and Development Committee, and the City of Mississauga land use planning staff for making the changes that we have requested to the draft Major Transit Station Area Official Plan Amendment and the draft Dundas Corridor Official Plan Amendment, to implement the Provincial A Place To Grow Plan, the new Peel Region Official Plan and the City's own Dundas Connects Masterplan.

Yours Sincerely,

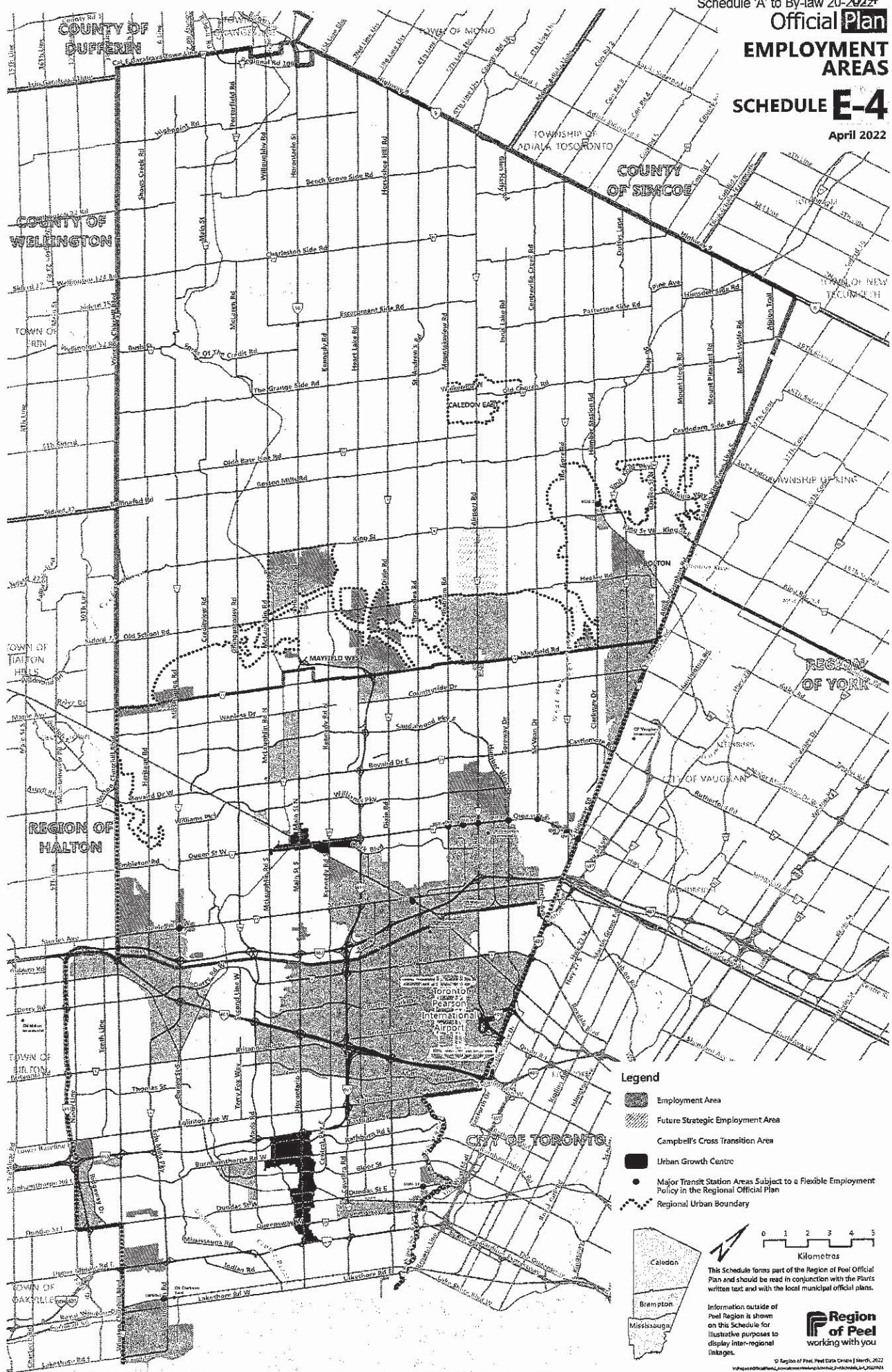
GOLFOUR PROPERTY SERVICES INC.

Per: 

Michael Eveleigh, CPA, CA

c.c:

1. Your Worship Mayor Bonnie Crombie - mayor@mississauga.ca
2. Ward 1 - Councillor Stephen Dasko - stephen.dasko@mississauga.ca
3. Ward 2 - Councillor Pat Mullin - pat.mullin@mississauga.ca
4. Ward 3 - Councillor Chris Fonseca - chris.fonseca@mississauga.ca
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6. Ward 5 - Councillor Carolyn Parrish - carolyn.parrish@mississauga.ca
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11. Ward 10 - Councillor Sue McFadden - sue.mcfadden@mississauga.ca
12. Ward 11 - Councillor George Carlson - george.carlson@mississauga.ca
13. Commissioner Planning and Building - Andrew Whittemore - andrew.whittemore@mississauga.ca
14. City Clerk and Director, Legislative Services - Diana Rusnov - diana.rusnov@mississauga.ca
15. Moe Ahmed, President and CEO, Ahmed Group - m@ahmed.group
16. Timothy Harris, COO, Ahmed Group - timothy@ahmed.group
17. Jose Garreton, Senior Project Manager, Ahmed Group - jose@ahmed.group
18. Peter Gross, Partner, Gowling WLG - peter.gross@gowlingwlg.com
19. Brian Parker, Senior Land Planner, Gowling WLG - brian.parker@gowlingwlg.com
20. John Lohmus, Senior Land Planner, Plan Logic Consulting - johnlohmus@outlook.com



- Legend**
- Employment Area
 - Future Strategic Employment Area
 - Campbell's Cross Transition Area
 - Urban Growth Centre
 - Major Transit Station Areas Subject to a Flexible Employment Policy in the Regional Official Plan
 - Regional Urban Boundary

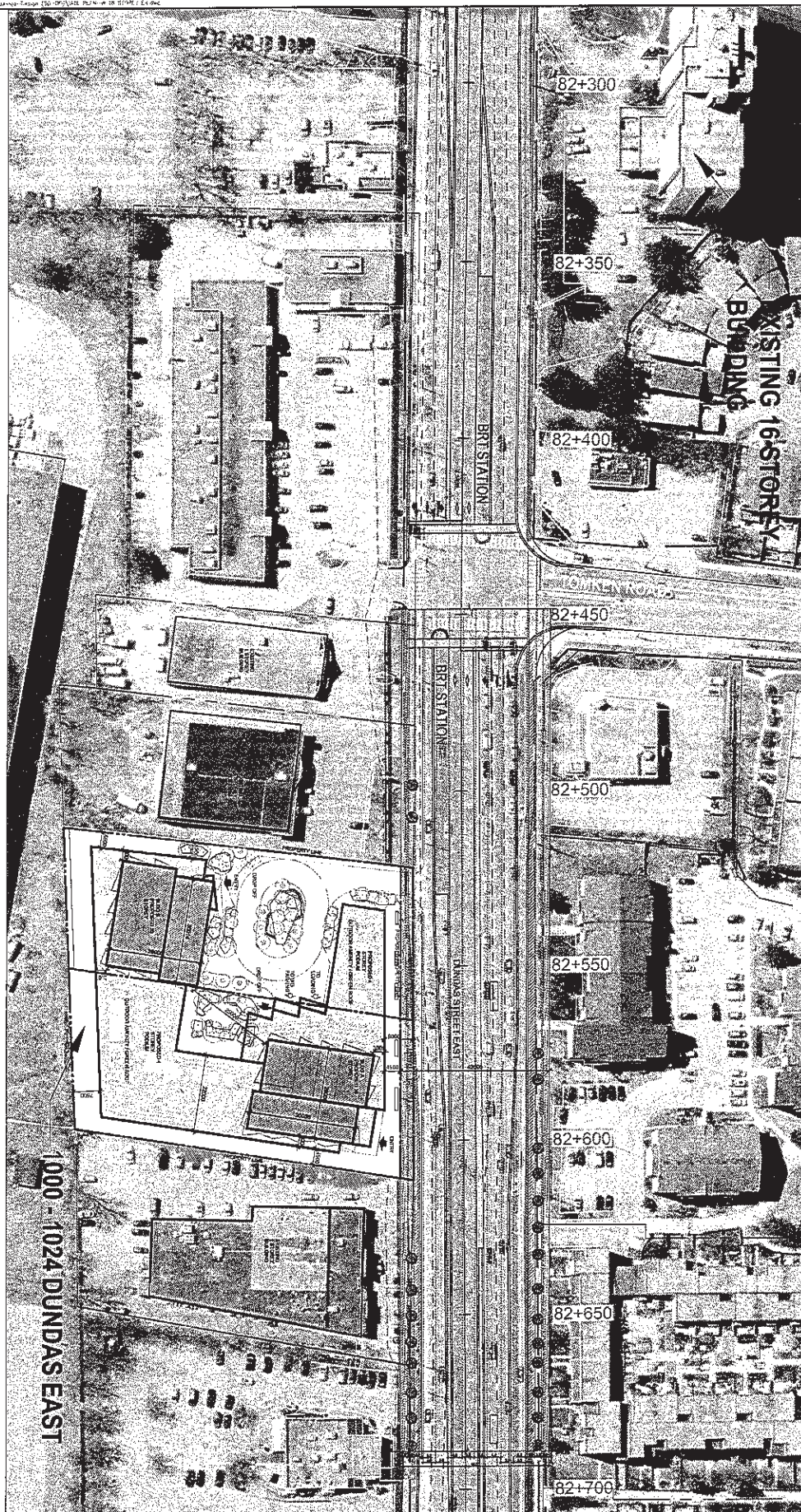
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Key Plan 1. Main Building 2. Parking Area 3. Access Road 4. Utility Area		Site Plan 1. Main Building 2. Parking Area 3. Access Road 4. Utility Area	



May 17, 2022

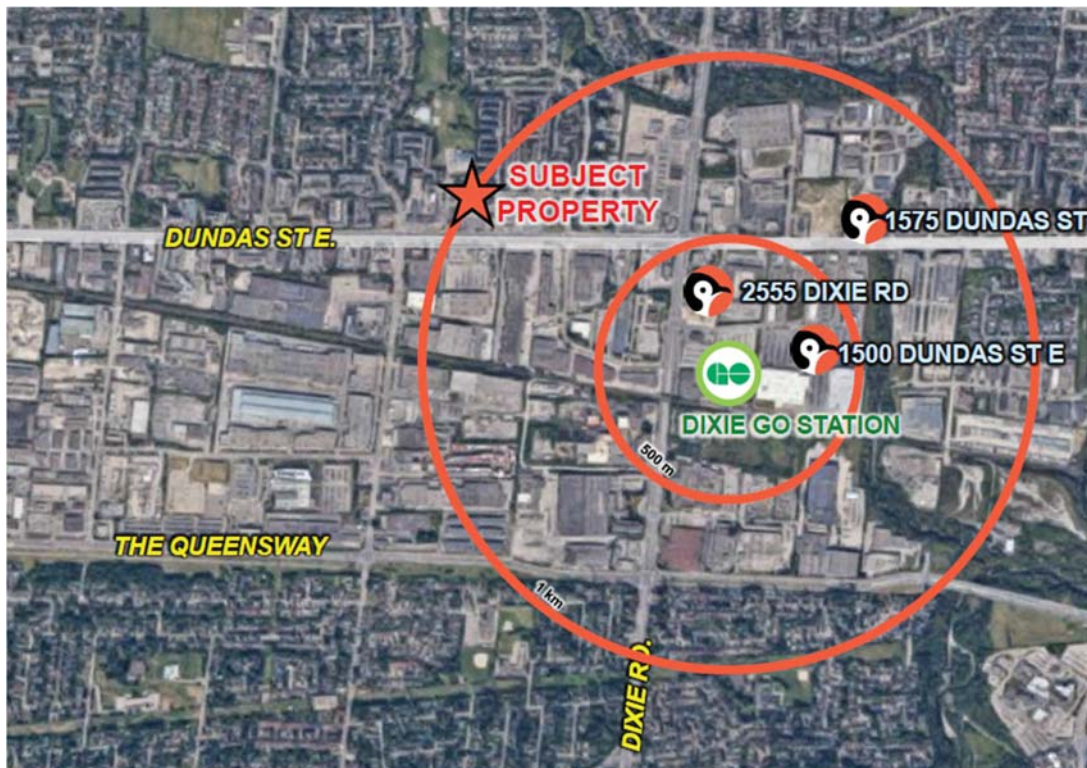
GSAI File: 1415-002

(Via Email to: angie.melo@mississauga.ca)

Mayor and Members of Council
c/o Angie Melo, Legislative Coordinator
City of Mississauga
300 City Centre Drive
Mississauga, ON L5B 3C1

**RE: Council Agenda Item 11.2: PDC Reports from
May 9, 2022, Specifically Report 6.1: City-Wide
Major Transit Area Study – Draft Official Plan Amendment.**

Glen Schnarr & Associates Inc. ('GSAI') are the planning consultants to SmartCentres Inc, owners of a 3.2-acre plaza site located at 1225 Dundas Street East, as shown below.



10 KINGSBRIDGE GARDEN CIRCLE
SUITE 700
MISSISSAUGA, ONTARIO
L5R 3K6
TEL (905) 568-8888
FAX (905) 568-8894
www.gsai.ca



GLEN SCHNARR & ASSOCIATES INC.
URBAN & REGIONAL PLANNERS, LAND DEVELOPMENT CONSULTANTS

As SmartCentres are in the process of preparing an Official Plan and Zoning Amendment application, but have not yet filed the application, our client was reluctant to speak to the matter at last Monday's PDC meeting. However, having monitored the discussion that took place on May 9th and having just recently received notice of another MTSA related PDC meeting on May 30, 2022 dealing with the Dundas Connects/Dundas Corridor Policy Implementation Draft OPA, they have asked that comments go on public record when the matter comes to Council on May 18th.

Like many other owners of older retail strip plaza sites whose original planned functions will be transitioning in the post-covid world, SmartCentres are looking to intensify many of their retail sites on major arterial roads/transit lines to permit future mixed-use redevelopment, including this site, potentially with a purpose built rental housing component. It has become evident having participated in some of the previous Dundas Connects Master Plan meetings and the more recent Downtown Local Area Plan Reviews, particularly in Cooksville, that the proposed Protected MTSA policies have established Height Limits based on the recommendations of the 2018 Dundas Connects Master Plan. The recently released Draft OPA for this exercise reinforces this finding.

Along with several other clients who have submitted letters or made depositions on the MTSA report on May 9, 2022, our client similarly requests that height limits be removed from the MTSA policies which should more appropriately be used to define the MTSA boundaries and establish minimum density targets for transit supportive areas along the Dundas Corridor where Inclusionary Zoning can be implemented. Like the earlier Local Area Plans completed in Port Credit and Lakeview, height schedules should be included as instruments in these documents, rather than seen as non appealable or non negotiable entities in MTSA policies.

In the event that Council adopts the staff recommendations for the final Protected MTSA policies, our client would request that as part of the ongoing Dundas Corridor Policy Implementation exercise, that their lands at 1225 Dundas Street East in the Dixie GO MTSA be compared to similarly located sites in the Confederation Parkway MTSA in Cooksville. Lands with similar locational attributes, including proximity to major intersections along Dundas and being less than 800 m from an existing GO Station in Cooksville are being recommended for heights of 3-12 storeys, whereas the subject lands are being recommended for heights of 3-9 storeys in the Dixie GO MTSA. While in both instances we believe that greater heights are warranted in accordance with Provincial growth policies, these locations should be treated equally under Mississauga's MTSA and Dundas Corridor Policy Implementation exercises. Thank you for your consideration on this matter

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.

Jim Levac, MCIP, RPP
Partner



GLEN SCHNARR & ASSOCIATES INC.
URBAN & REGIONAL PLANNERS, LAND DEVELOPMENT CONSULTANTS

Copy: Allan Scully/Daniel Orellana, SmartCentres Inc.
Andrew Whittemore/Jason Bevan, Planning and Building Department



KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

May 23, 2022

Mr. Andrew Whittemore, MURP
Commissioner of Planning & Building
City of Mississauga,
300 City Centre Drive
Mississauga, ON L5B 3C1

Dear Mr. Whittemore:

**RE: CITY-WIDE MAJOR TRANSIT STATION AREA STUDY – DRAFT OFFICIAL PLAN
AMENDMENT (DATED APRIL 14, 2022)
COMMENTS BY CRH CANADA GROUP INC., CERTAINTEED CANADA INC. AND PETRO-
CANADA LUBRICANTS INC.
CITY OF MISSISSAUGA FILE NO. LA.07-CIT
OUR FILE NO. 9061DM, 21187A, 21188A**

Further to our submission dated April 28 2021 on the City-initiated Official Plan Amendment for the Clarkson Major Transit Station Area, this submission is being made on behalf of the Southdown Industrial Landowners Group (SILG) which comprises of three (3) prominent industrial landowners representing a total land area of ±175 ha (430 acres) situated in proximity to the lands being considered for the Clarkson Major Transit Station Area Official Plan Amendment, including:

- i) CertainTeed Canada Inc. ("CertainTeed")
- ii) CRH Canada Group Inc. ("CRH")
- iii) Petro-Canada Lubricants Inc. ("PCLI")

Firstly, we wish to thank the City for maintaining the employment area designation within the Clarkson MTSA and the inclusion of land use compatibility measures within the draft OPA. The inclusion of sufficient draft policy addressing such matters is vital for the protection of employment areas and industrial facilities from the encroachment of sensitive land uses and to ensure their long-term viability and operation, which also play a vital role in achieving economic growth targets and projections.

The proposed Schedule 11-R in the staff report (ref: LA.07-CIT, dated: April 14, 2022) would continue to designate certain areas within the Southdown Employment Area as "Mixed Use" within the "City Structure – Employment Area", which is consistent with the current City of Mississauga Official Plan (OP) land use designations mapping.

Under the current OP, residential uses are not permitted within Mixed Use designations if they form part of the Southdown Employment Area (section 17.1.4).

The proposed policy 5.7.2.1 contained within the Draft OPA states *"The authorized uses of land are as identified by the land use designations shown in Schedule 11: Protected Major Transit Station Areas referenced in Table 5-2: Protected Major Transit Station Areas. The associated land use permissions are as per Part 3: Land Use Designations of this Plan, and applicable Local Area Plans"*. Part 3: Land Use Designations of the City OP permits residential uses within Mixed Use designations. Therefore, in order to ensure that the provisions of section 17.1.4 are carried over, it is requested that policy 5.7.2.1 be reworded as follows:

5.7.2.1 The authorized uses of land are as identified by the land use designations shown in Schedule 11: Protected Major Transit Station Areas referenced in Table 5-2: Protected Major Transit Station Areas. The associated land use permissions are as per Part 3: Land Use Designations **and Chapter 17: Employment Areas** of this Plan, and applicable Local Area Plans.

Please be advised that SILG and MHBC welcome any further discussion with City (and Region) staff. We thank you for the opportunity to comment on this important initiative and request notification of any future meetings or decisions relating to the City-Wide Major Transit Station Area Study - Draft Official Plan Amendment.

Yours truly,

MHBC



Debra Walker, BES, MBA, MCIP, RPP

cc: Nicolle Bellissimo, Ash Grove
 Jessica Ferri, CRH
 Muqeeth Syed, PCL
 Dirk Demontbrun, CertainTeed



KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

May 25, 2022

Mr. Andrew Whittemore, MURP
Commissioner of Planning & Building
City of Mississauga,
300 City Centre Drive
Mississauga, ON L5B 3C1

Dear Mr. Whittemore:

**RE: CITY-WIDE MAJOR TRANSIT STATION AREA STUDY – DRAFT OFFICIAL PLAN
AMENDMENT (DATED APRIL 14, 2022)
COMMENTS BY CRH CANADA GROUP INC., CERTAINTED CANADA INC. AND PETRO-
CANADA LUBRICANTS INC.
CITY OF MISSISSAUGA FILE NO. LA.07-CIT
OUR FILE NO. 9061DM, 21187A, 21188A**

In addition to our submission dated May 23, 2022, this submission is being made on behalf of the Southdown Industrial Landowners Group (SILG), whom wish to submit further comments on the City-Wide Major Transit Station Area Study - Draft Official Plan Amendment.

In planning the Clarkson MTSA, the Province and the City must consider three provincial objectives:

- i) protecting provincially-significant employment areas, particularly those that are provincially-significant;
- ii) accommodating intensification through established minimum density targets; and
- iii) ensuring that major facilities and sensitive land uses are planned to avoid or, if avoidance is not possible, minimize and mitigate any potential adverse effect from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities with provincial guidelines, standards and procedures.

Minimum density targets include both jobs and residents collectively. Therefore, sensitive land uses may not be appropriate in all areas of a MTSA should land use compatibility be a potential issue.

While the land use compatibility measures within Section 5.7.5 of the Draft OPA are welcomed, the policies in this Section should be revised to consider and address the following additional comments:

1. As stated above, the PPS and Growth Plan require avoidance as a first measure in addressing land use compatibility between major facilities and sensitive land uses. This principle has not been incorporated into the proposed MTSA policies.
2. The SILG has been working with the City and its peer reviewers to provide input into the ongoing land use compatibility assessments being undertaken as background to the Clarkson MTSA.

In doing so, the SILG and the City have identified a significant discrepancy in air quality modelling. The current standard for modelling (AERMOD and SDM) is being ultimately replaced with a more accurate model (CALPUFF). The Province encourages the use of the CALPUFF model overall. CALPUFF is the appropriate and accurate model where effects of shoreline fumigation must be considered. However, the Province is not currently requiring the City and/or developers to use the CALPUFF dispersion model for planning for future residents in the Clarkson MTSA. The Province gives the City the option to either use CALPUFF or the AERMOD and SDM modelling.

Therefore, there is nothing preventing the City from requiring the use of more accurate modelling now available (i.e. CALPUFF).

At the same time, the Province is requiring industries through their Environmental Compliance Approvals to use CALPUFF. Generally speaking, due to the more accurate modelling, a additional mitigation is typically required compared to the less accurate AERMOD and SDM modelling. When held to this higher modelling standard, it is estimated that modelled concentrations could in fact be 1.5 to 2.5 times higher than if held to the AERMOD modelling standard.

Furthermore, the Province will be requiring a new Sulphur Dioxide (SO₂) air quality standard in 2023 which may result in the need for even greater mitigation.

Therefore, knowing that the more rigorous modelling requirement (CALPUFF) will be required in the near future, it is recommended that air quality assessments (CALPUFF) be completed now for the Clarkson MTSA, and for future studies by developers. This will ensure that planning decisions are being made based on the most accurate and informative modelling available which will help to minimize the potential for unacceptable land use conflict between future residents and existing major facilities in the long term.

Please be advised that SILG and MHBC welcome any further discussion with City (and Region) staff. We thank you for the opportunity to comment on this important initiative and request notification of any future meetings or decisions relating to the City-Wide Major Transit Station Area Study - Draft Official Plan Amendment.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read "Debra Walker", followed by a period.

Debra Walker, BES, MBA, MCIP, RPP

cc: Nicolle Bellissimo, Ash Grove
 Jessica Ferri, CRH
 Muqeeth Syed, PCLI
 Dirk Demontbrun, CertainTeed

MISSISSAUGA MUSLIM COMMUNITY CENTRE
 2505 Dixie Road, Mississauga, ON L4Y 2A1
 (905) 270 - 4900 info@mmcc-canada.org

May 26, 2022

Your Worship Mayor Bonnie Crombie and City Councilors,
 City of Mississauga
 300 City Centre Drive
 Mississauga, ON L5B 3C1

PROPOSED MAJOR TRANSIT AREA AND DUNDAS CORRIDOR OFFICIAL PLAN AMENDMENTS TO IMPLEMENT THE PROVINCIAL A PLACE TO GROW PLAN, NEW REGION OF PEEL OFFICIAL PLAN AND THE DUNDAS CONNECTS MASTER PLAN

We own **2505 Dixie Road, Mississauga** (herein the “property”) which fronts onto the east side of Dixie Road and is located directly to the south-east of the Blundell Road intersection. Our property is further surrounded by Dixie Go (Metrolinx) lands to the north, east and south sides.

We request Your Worship, City Councillors and Planning and Development Committee to direct the City of Mississauga land use planning staff to make the following changes to their draft Official Plan Amendments to implement the Provincial A Place To Grow Plan, the new Peel Region Official Plan adopted April 28th, 2022 and the City’s own Dundas Connects Masterplan:

Employment Zone:

The City of Mississauga “Map 17-4 Dixie Employment Area” and map “Schedule 9 Character Areas” as proposed in City Staff’s draft official plan amendments must be consistent with the enclosed “Employment Areas Schedule E-4” of the new Region of Peel Official Plan. The Region of Peel Official Plan explicitly states:

“5.8.16 Direct the local municipalities to designate Employment Areas in accordance with Schedule E-4.”

Height, Density, and our Right of Appeal:

- The Provincial A Place to Grow Plan Section 2.2.4.3.b. prescribes the following minimum development density for our property, which is further supported by the new Region of Peel Official Plan:

*“3. Major transit station areas on priority transit corridors or subway lines will be planned for a **minimum density target** of:*

b) 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit; or”

- On May 9th, 2022, during a Public Meeting for the Major Transit Station Area Official Plan Amendment, Councillor Parrish had rightfully questioned City Staff on the necessity of maximum heights as proposed in their draft official plan amendment, as well as the rights of landowners to appeal. The following was said:

Councillor Carolyn Parrish

Yes, thank you very much for your presentation. I read this all very carefully, and the map, the reason I’m looking at Cooksville isn’t because I’m the Councillor there it’s because I’m a resident there, and I, I first of all was also Chair of the Planning and Growth Committee at the Region (of Peel), and at no point did we talk about heights? Is this a unique preoccupation with Mississauga or is this something we were instructed to look at?

MISSISSAUGA MUSLIM COMMUNITY CENTRE
 2505 Dixie Road, Mississauga, ON L4Y 2A1
 (905) 270 - 4900 info@mmcc-canada.org

Bashar Al-Hussaini, City Planner and Project Lead

*So in order for MTSA's to be protected MTSA's which would basically mean enable inclusionary zoning among other things and protect policies from appeal, we would need to define heights, minimum and maximum heights. **Those heights are also currently being used to guide densities within the MTSA's.** In terms of requirements for heights, we have proposed this approach because we felt that the FSI approach in terms of build-form is potentially not the best route to take, and that height requirements would be more sort of prescriptive.*

Councillor Carolyn Parrish

So, what I'm hearing from you was this was a decision, internal decision, to look at heights rather than FSI?

Bashar Al-Hussaini, City Planner and Project Lead

Correct...

Councillor Carolyn Parrish

So, if the world is going to tall towers, tall point towers. We're going to stick with little block buildings if we have to?

Bashar Al-Hussaini, City Planner and Project Lead

So in terms of meeting the minimum density targets, umm...

Councillor Carolyn Parrish

*I get all of that. I lived in the Region – I'm telling you. **So, you're telling me that this is a decision made locally, and once it's made, if it goes into our MTSA (Major Transit Station Area Official Plan Amendment), its not appealable and there is no negotiations?***

Bashar Al-Hussaini, City Planner and Project Lead

If it's approved, correct.

- City Staff's decision of using maximum heights to "**guide density**" is contradictory to both Provincial and Regional land use policy. This is especially alarming given that the Planning Act specifically prohibits filing applications of appeal of land use policies within Major Transit Station Area Official Plan Amendments.
- The ability of the City to freeze the rights of our property was to protect the above cited minimum development densities from appeal, and not to impose a maximum development density, which City Staff are now proposing indirectly through maximum building height limits.
- **Accordingly, we ask that your Worship and City Councillors direct City Staff to remove the proposed maximum limit on building height for our property as proposed on draft map Protected Major Transit Station Area Schedule 11: Protected Major Transit Station Area.**
- It is important to note existing policy in Section 9.2.1.8 of the City of Mississauga Official Plan identifies Major Transit Station Areas as the preferred location for tall buildings and therefore taller building height is more appropriate for a property such as ours located directly adjacent to the Dixie Go Station and in close proximity to the upcoming Dixie Dundas Bus Rapid Transit Station.

Ahmed Group's Nearby Development Project at 1000 & 1024 Dundas Street East, Mississauga:

- Ahmed Group has informed us of their proposed mixed-use purpose-built rental apartment development project at 1000 & 1024 Dundas Street East, Mississauga, as shown on enclosed plans marked as Schedule B.
- We support Ahmed Group's project for their property, specifically the proposed land uses, development density and building heights.
- We ask that your Worship and City Councillors direct City Staff to meaningfully engage in discussions with Ahmed Group and expedite the review of their project.

MISSISSAUGA MUSLIM COMMUNITY CENTRE
 2505 Dixie Road, Mississauga, ON L4Y 2A1
 (905) 270 - 4900 info@mmcc-canada.org

We would like to thank Your Worship Mayor Bonnie Crombie, City Councillors, the City of Mississauga Planning and Development Committee, and the City of Mississauga land use planning staff for making the changes that we have requested to the draft Major Transit Station Area Official Plan Amendment and the draft Dundas Corridor Official Plan Amendment, to implement the Provincial A Place To Grow Plan, the new Peel Region Official Plan and the City's own Dundas Connects Masterplan.

Yours Sincerely,

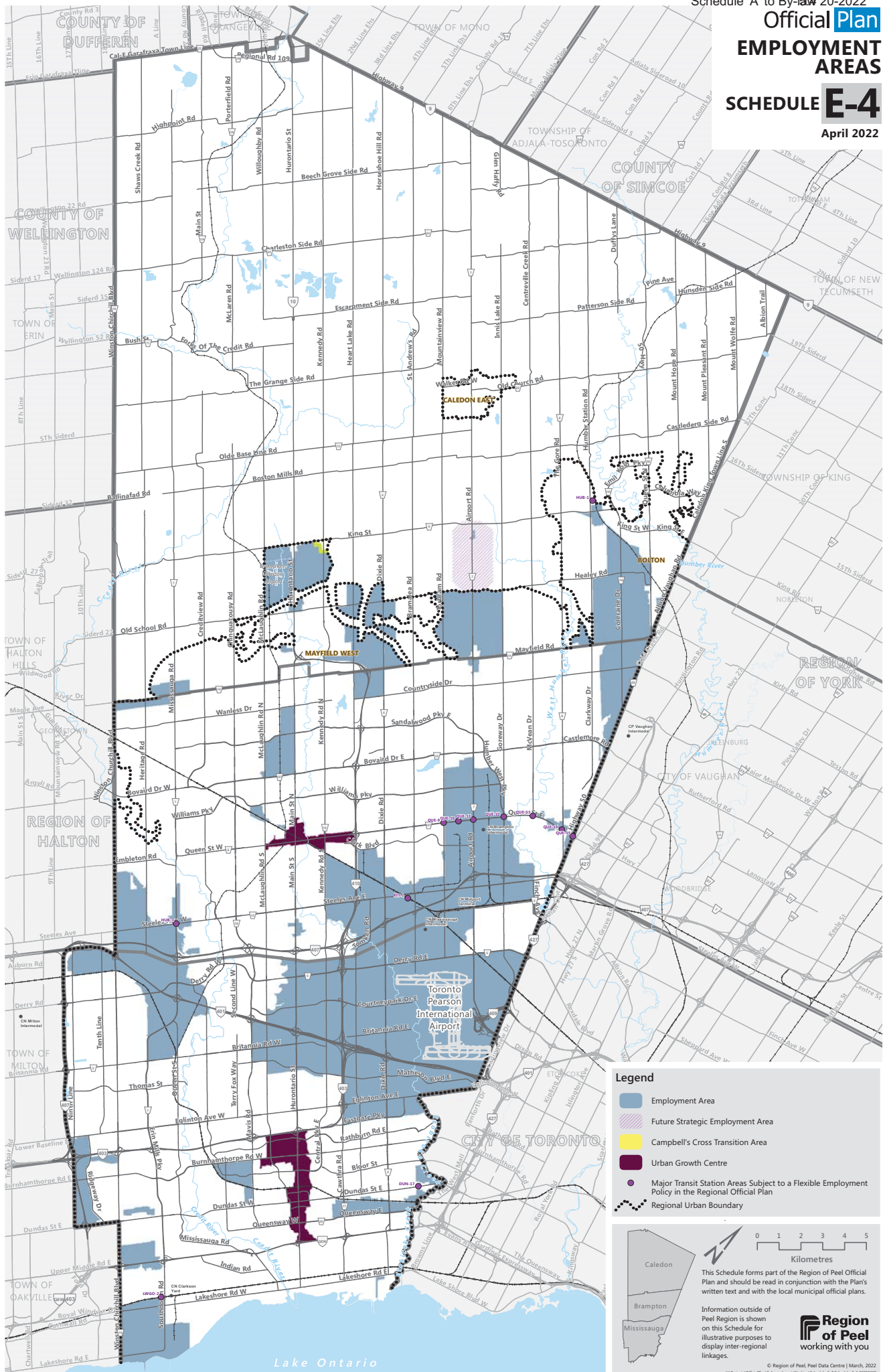
MISSISSAUGA MUSLIM COMMUNITY CENTER

Per: 

Mr. Kamran Rashid, President

c.c.:

1. Your Worship Mayor Bonnie Crombie - mayor@mississauga.ca
2. Ward 1 - Councillor Stephen Dasko - stephen.dasko@mississauga.ca
3. Ward 2 - Councillor Pat Mullin - pat.mullin@mississauga.ca
4. Ward 3 – Councillor Chris Fonseca - chris.fonseca@mississauga.ca
5. Ward 4 – Councillor John Kovac - john.kovac@mississauga.ca
6. Ward 5 – Councillor Carolyn Parrish - carolyn.parrish@mississauga.ca
7. Ward 6 – Councillor Ron Starr - ron.starr@mississauga.ca
8. Ward 7 – Councillor Dipika Damerla - dipika.damerla@mississauga.ca
9. Ward 8 – Councillor Matt Mahoney - matt.mahoney@mississauga.ca
10. Ward 9 – Councillor Pat Saito - pat.saito@mississauga.ca
11. Ward 10 – Councillor Sue McFadden - sue.mcfadden@mississauga.ca
12. Ward 11 – Councillor George Carlson - george.carlson@mississauga.ca
13. Commissioner Planning and Building – Andrew Whittemore – andrew.whittemore@mississauga.ca
14. City Clerk and Director, Legislative Services – Diana Rusnov – diana.rusnov@mississauga.ca
15. Moe Ahmed, President and CEO, Ahmed Group – m@ahmed.group
16. Timothy Harris, COO, Ahmed Group – timothy@ahmed.group
17. Jose Garreton, Senior Project Manager, Ahmed Group – jose@ahmed.group
18. Peter Gross, Partner, Gowling WLG – peter.gross@gowlingwlg.com
19. Brian Parker, Senior Land Planner, Gowling WLG – brian.parker@gowlingwlg.com
20. John Lohmus, Senior Land Planner, Plan Logic Consulting – johnlohmus@outlook.com



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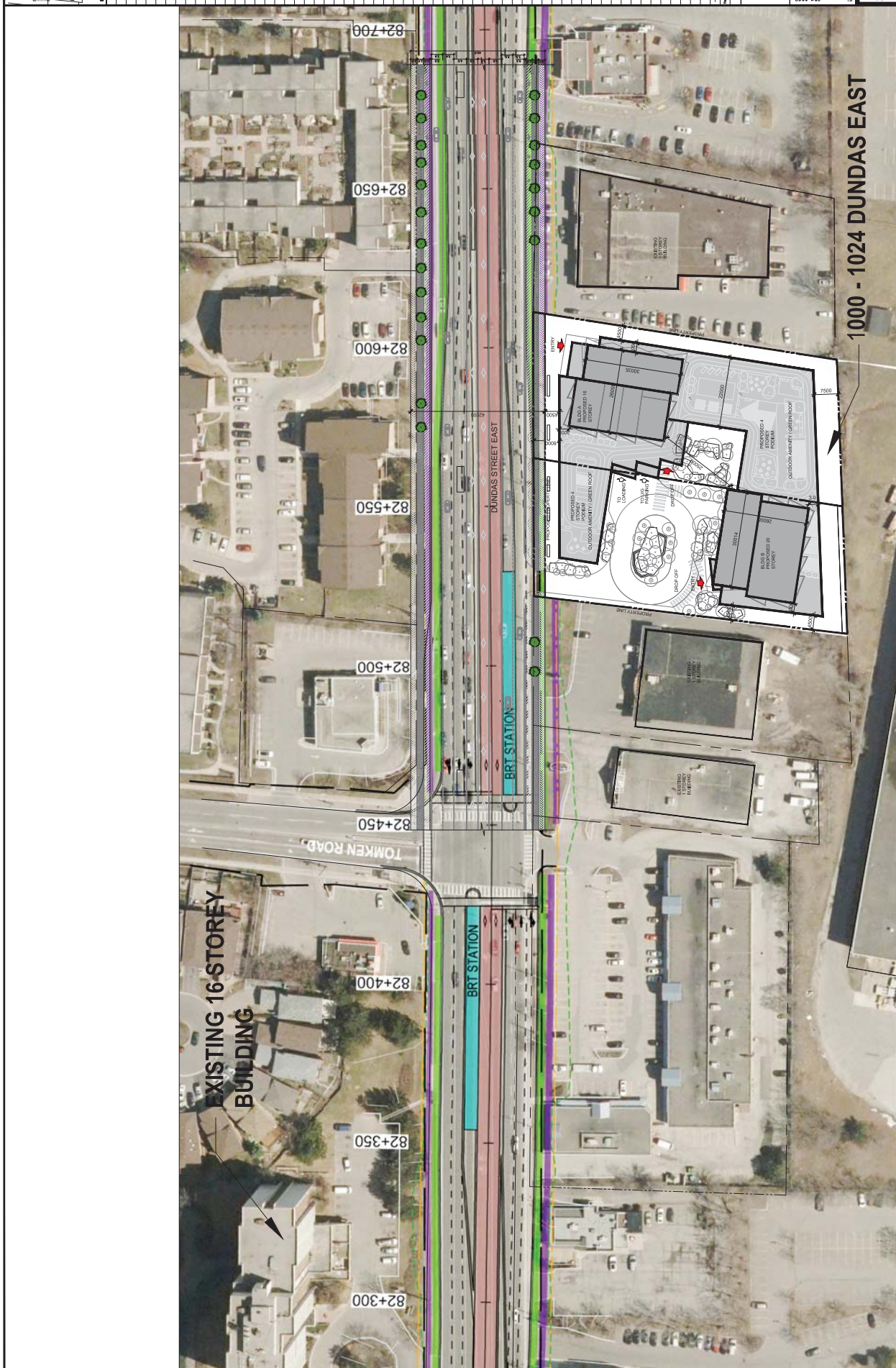
Check out with all dimensions and report any discrepancies to the Commission. Signs and labels are critical to this training. The training is not to be used for the purpose of working on dimensions.

Only drawings that will be used for construction purposes will be signed and sealed in the space below by the above mentioned Consultant.

WZMH ARCHITECTS
1901 N. 15th Ave. W
Suite 100
Seattle, Oregon
98147-1146
Tel: 206-461-2111
Fax: 206-461-2116

1000-1024, DUNDAS
MISSISSAUGA, ONTARIO

Sheet Title	
SITE PLAN	
Scale	1:400
Project Number	07395.000



LEGEND

- PROPOSED BRT LANE
- PROPOSED BRT STATION
- EXISTING ROW
- PROPOSED SIDEWALK
- PROPOSED CYCLE TRACK
- PROPOSED MUP
- APPROXIMATE GRADING LIMITS

May 25, 2022

Your Worship Mayor Bonnie Crombie and City Councilors,
City of Mississauga
300 City Centre Drive
Mississauga, ON L5B 3C1

PROPOSED MAJOR TRANSIT AREA AND DUNDAS COORIDOR OFFICIAL PLAN AMENDMENTS TO IMPLEMENT THE PROVINCIAL A PLACE TO GROW PLAN, NEW REGION OF PEEL OFFICIAL PLAN AND THE DUNDAS CONNECTS MASTER PLAN

We own **1030 Dundas Street East, Mississauga** (herein the "property") which fronts onto the south side of Dundas Street East and is located to the east of the Tomken Road intersection.

We request Your Worship, City Councillors and Planning and Development Committee to direct the City of Mississauga land use planning staff to make the following changes to their draft Official Plan Amendments to implement the Provincial A Place To Grow Plan, the new Peel Region Official Plan adopted April 28th, 2022 and the City's own Dundas Connects Masterplan:

Employment Zone:

The City must remove our property from the Dixie Employment Area in accordance with the Provincial A Place To Grow Plan and the new Peel Region Official Plan adopted April 28th, 2022. The City of Mississauga "Map 17-4 Dixie Employment Area" and map "Schedule 9 Character Areas" must be consistent with the enclosed "Employment Areas Schedule E-4" of the new Region of Peel Official Plan. The Region of Peel Official Plan explicitly states:

"5.8.16 Direct the local municipalities to designate Employment Areas in accordance with Schedule E-4."

Land Use:

On May 9th, 2022, during a Statutory Public Meeting for City Staff's proposed draft Major Transit Station Area Official Plan Amendment, Councillor Carlson had sought the position of City Staff in relation to a deputation made by adjacent landowner's land use planning counsel, Mr. Peter Gross of Gowling WLG representing the Ahmed Group, for the residential mixed-use redevelopment of their lands at 1000 and 1024 Dundas Street East, Mississauga. Commissioner Andrew Whittemore, Planning & Building of City Staff responded that:

*"Through the chair, thank you for the deputation, obviously staff would be happy to sit down and discuss with you, but I will point out to the committee that this property is directly in proximity to Mother Parkers (Inc.) which is a property that you talked to just last week, so, it's a complex site, and a lot of the **complexity** of these properties in and around that area will really be fully addressed through the Dundas Connects report which I believe is coming on May 30th, so, we'll have some time to talk about that, but I just wanted to provide the PDC some content."*

We understand that the complexity concerns of City Staff outlined by Commissioner Whittemore relate to Mother Parkers Tea & Coffee Inc. who operates nearby and has lobbied the City against allowing the residential mixed-use redevelopment of our property on the basis of supposed land use compatibility concerns.

Rowan Williams Davies & Irwin Inc., a world renowned international multi-disciplinary engineering firm (herein "RWDI") have completed a Land Use Compatibility Study in accordance with the City of Mississauga Terms of Reference for Ahmed Group's lands and they have concluded that the residential mixed-use re-development of these lands would be compatible with Mother Parkers Tea & Coffee Inc.'s operations (i.e., current, and future potential noise and odours). We believe that there would be identical findings for our property, which would similarly also allow for the future redevelopment of our property for a residential mixed-use building.

Despite Ahmed Group having retained RWDI to complete a Land Use Compatibility Study that has concluded that the residential mixed-use re-development of their lands would be compatible with Mother Parkers Tea & Coffee Inc., City Staff have declined to provide Ahmed Group with a DARC meeting and propose to include both their and our property within the employment zone in the Dundas Corridor Official Plan Amendment, freezing our rights to redevelop our property for residential mixed-use purposes. The decision to freeze our land use due to "**complexity**" is contradictory to both Provincial and Regional land use policy. This is especially alarming given that the Planning Act specifically prohibits the filing of applications of appeal of land use policies within Major Transit Station Area Official Plan Amendments

Accordingly we seek the re-designation of our property on proposed draft map "Protected Major Transit Station Area Schedule 11-G" to be changed from "Mixed Use" to "Mixed Use Limited," **similar to other properties along Dundas Street and within Major Transit Station Areas**, allowing for the future redevelopment of our property for a mixed-use building containing residential uses, without the need for an Official Plan Amendment in accordance with the Provincial A Place To Grow Plan and the new Region of Peel Official Plan, as well as the recommendation on page 118 of the City's own Dundas Connects Master Plan which reads as follows:

"Lands that are currently designated mixed use along the (Dundas) corridor and near major transit stations should also allow for residential, major office and institutional uses to support the achievement of intensification targets."

This redesignation of our lands in City Staff's proposed official plan amendments would permit our lands to be truly Mixed Use and allow for a more appropriate transition to existing residential lands across the street from our property.

Height, Density, and our Right of Appeal:

- The Provincial A Place to Grow Plan Section 2.2.4.3.b. prescribes the following minimum development density for our property, which is further supported by the new Region of Peel Official Plan:

*"3. Major transit station areas on priority transit corridors or subway lines will be planned for a **minimum density target** of:*

b) 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit; or"

- On May 9th, 2022, during a Public Meeting for the Major Transit Station Area Official Plan Amendment, Councillor Parrish had rightfully questioned City Staff on the necessity of maximum heights as proposed in the draft official plan amendment, as well as the rights of landowners to appeal. The following was said:

Councillor Carolyn Parrish

Yes, thank you very much for your presentation. I read this all very carefully, and the map, the reason I'm looking at Cooksville isn't because I'm the Councillor there it's because I'm a resident there, and I, I first of all was also Chair of the Planning and Growth Committee at the Region (of Peel), and at no point did we talk about heights? Is this a unique preoccupation with Mississauga or is this something we were instructed to look at?

Bashar Al-Hussaini, City Planner and Project Lead

*So in order for MTSAs to be protected MTSAs which would basically mean enable inclusionary zoning among other things and protect policies from appeal, we would need to define heights, minimum and maximum heights. **Those heights are also currently being used to guide densities within the MTSAs.** In terms of requirements for heights, we have proposed this approach because we felt that the FSI approach in terms of build-form is potentially not the best route to take, and that height requirements would be more sort of prescriptive.*

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Correct...

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Bashar Al-Hussaini, City Planner and Project Lead

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Councillor Carolyn Parrish

*I get all of that. I lived in the Region – I'm telling you. **So, you're telling me that this is a decision made locally, and once it's made, if it goes into our MTSA (Major Transit Station Area Official Plan Amendment), its not appealable and there is no negotiations?***

Bashar Al-Hussaini, City Planner and Project Lead

If it's approved, correct.

- City Staff's decision of using maximum heights to "**guide density**" is contradictory to both Provincial and Regional land use policy. This is especially alarming given that the Planning Act specifically prohibits filing applications of appeal of land use policies within Major Transit Station Area Official Plan Amendments.
- The ability of the City to freeze the rights of our property was to protect the above cited minimum development densities from appeal, and not to impose a maximum development density, which City Staff are now proposing indirectly through maximum building height limits.
- Accordingly, we ask that your Worship and City Councillors direct City Staff to remove the proposed maximum limit on building heights for our property as proposed on draft map Protected Major Transit Station Area Schedule 11-G.
- It is important to note existing policy in Section 9.2.1.8 of the City of Mississauga Official Plan identifies Major Transit station Areas as the preferred location for tall buildings and therefore taller building height is more appropriate for a property such as ours located directly adjacent to the upcoming Tomken Road Bus Rapid Transit Station.

Ahmed Group's Development Project at 1000 & 1024 Dundas Street East, Mississauga:

- Ahmed Group has informed us of their proposed mixed-use purpose-built rental apartment development project at 1000 & 1024 Dundas Street East, Mississauga, as shown on enclosed plans marked as Schedule B.
- We support Ahmed Group's project for their property, specifically the proposed land uses, development density and building heights.

- We ask that your Worship and City Councillors direct City Staff to meaningfully engage in discussions with Ahmed Group and expedite the review of their project.

We would like to thank Your Worship Mayor Bonnie Crombie, City Councillors, the City of Mississauga Planning and Development Committee, and the City of Mississauga land use planning staff for making the changes that we have requested to the draft Major Transit Station Area Official Plan Amendment and the draft Dundas Corridor Official Plan Amendment, to implement the Provincial A Place To Grow Plan, the new Peel Region Official Plan and the City's own Dundas Connects Masterplan.

Yours Sincerely,

TAVORA HOLDING CO. LTD.

Per: _____

Mr. Paulo Tavora, President

c.c:

1. Your Worship Mayor Bonnie Crombie - mayor@mississauga.ca
2. Ward 1 - Councillor Stephen Dasko - stephen.dasko@mississauga.ca
3. Ward 2 - Councillor Pat Mullin - pat.mullin@mississauga.ca
4. Ward 3 - Councillor Chris Fonseca - chris.fonseca@mississauga.ca
5. Ward 4 - Councillor John Kovac - john.kovac@mississauga.ca
6. Ward 5 - Councillor Carolyn Parrish - carolyn.parrish@mississauga.ca
7. Ward 6 - Councillor Ron Starr - ron.starr@mississauga.ca
8. Ward 7 - Councillor Dipika Damerla - dipika.damerla@mississauga.ca
9. Ward 8 - Councillor Matt Mahoney - matt.mahoney@mississauga.ca
10. Ward 9 - Councillor Pat Saito - pat.saito@mississauga.ca
11. Ward 10 - Councillor Sue McFadden - sue.mcfadden@mississauga.ca
12. Ward 11 - Councillor George Carlson - george.carlson@mississauga.ca
13. Commissioner Planning and Building - Andrew Whittemore - andrew.whittemore@mississauga.ca
14. City Clerk and Director, Legislative Services - Diana Rusnov - diana.rusnov@mississauga.ca
15. Moe Ahmed, President and CEO, Ahmed Group - m@ahmed.group
16. Timothy Harris, COO, Ahmed Group - timothy@ahmed.group
17. Jose Garreton, Senior Project Manager, Ahmed Group - jose@ahmed.group
18. Peter Gross, Partner, Gowling WLG - peter.gross@gowlingwlg.com
19. Brian Parker, Senior Land Planner, Gowling WLG - brian.parker@gowlingwlg.com
20. John Lohmus, Senior Land Planner, Plan Logic Consulting - johnlohmus@outlook.com



Enbridge
10175 101 St NW
Edmonton, Alberta T5J 0H3
Canada

April 21, 2022

City of Mississauga
City Planning Strategies Division
300 City Centre Drive
Mississauga, ON L5B 3C1

Sent via email to: bashar.al-hussaini@mississauga.ca

ATTN: Bashar Al-Hussaini, Planner

RE: REQUEST FOR COMMENTS: Mississauga Official Plan Draft Policy Changes - City-Wide Major Transit Station Area Policies

Your File #: LA.07-CIT

Our Reference #: ENB_R220414-001ON

Thank you for sending Enbridge notice of this project. B&A Planning Group is the land use planning consultant for Enbridge's Liquids Pipeline network across Canada. On behalf of Enbridge, we work with municipalities and stakeholders regarding planning and development in proximity to their pipeline infrastructure to ensure that it occurs in a safe and successful manner.

We request that this response package is provided in full to the landowner / applicant as it contains useful and important information, including certain requirements that must be followed, in respect of development in proximity of pipelines.

Description of Proposed Development

We understand that this application is proposing a new policy framework to guide development within identified Major Transit Station Areas. The proposed amendment to the City's Official Plan will set out direction for growth within applicable areas and include citywide policies related to land use, building heights, densities, urban design, connectivity, and compatibility. As demonstrated in **Attachment 01 | Approximate Location of Pipeline Infrastructure** the proposed Official Plan Draft is also located in the same boundaries as Enbridge pipeline infrastructure.

Assessment & Requirements

The Official Plan Draft was reviewed, and does not appear to contain any maps, statements or policies related to development in proximity of pipeline infrastructure. Therefore, Enbridge would like to recommend inclusion of the maps, statements and policies detailed in the recommendations below.

- 1) **Mapping:** We recommend that Enbridge's pipelines (and any other pipelines) and facilities be indicated on one or more maps within the



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Canada

- 2) As per Federal and Provincial Regulatory Requirements and Standards, pipeline operators are required to monitor all new development in the vicinity of their pipelines that results in an increase in population or employment. To ensure that all development within the pipeline assessment area is referred to Enbridge for review and comment, we recommend inclusion of the following policy:

"When an area structure plan, an outline plan, a concept plan, a subdivision application or a development permit application is proposed that involves land within 200m of a pipeline, as demonstrated in "Map xx: ____" (per recommendation #1), Administration shall refer the matter to the pipeline company for review and input."

- 3) To ensure that no unauthorized ground disturbance or pipeline crossings occur when development progresses, we recommend the following policy be included within the Official Plan Draft:

"All development within 30m or crossings of a pipeline shall require written consent from the pipeline company and is the responsibility of the applicant to obtain prior to development approval."

- 4) To support Enbridge's maintenance of the pipeline and limit the risk of mechanical damage we recommend the following policy inclusions:
- a. "Permanent structures shall not be installed anywhere on the pipeline right-of-way and should be placed at least ____ metres from the edge of the right-of-way and ____ metres from the edge of the pipeline."
 - b. "Temporary structures shall not be installed anywhere on the pipeline right-of-way and should be placed at least ____ metres from the edge of the right-of-way and ____ metres from the edge of the pipeline."

Future Development Requirements

Although the Official Plan Draft: details a long-term future development vision, there are development requirements that will be mandatory at the subdivision and development stage that will be helpful to consider prior to application submission. Please review **Attachment 02 | Enbridge Development Requirements** for requirements for planning and development in proximity of pipelines. In addition, for more information about when written consent is required and how to submit an application, see **Attachment 03 | Enbridge Pipeline Crossing Guidelines**. For additional resources on safe development in proximity of Enbridge's pipeline network please visit <https://www.enbridge.com/projects-and-infrastructure/public-awareness/brochures>.

Please continue to keep us informed about the outcome of the project and any future policy, land use, subdivision, and development activities in proximity to Enbridge's pipelines and facilities.



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Edmonton, Alberta T5J 0H3
Canada

Application referrals, project notifications and any questions regarding land use planning and development around pipelines should be sent to notifications@Enbridge.com. Thanks again for providing us with the opportunity to provide comments on this project and we look forward to working with you in the future.

Sincerely,



Joanna Ilunga

Community Planner | BA (Hons), MScPl

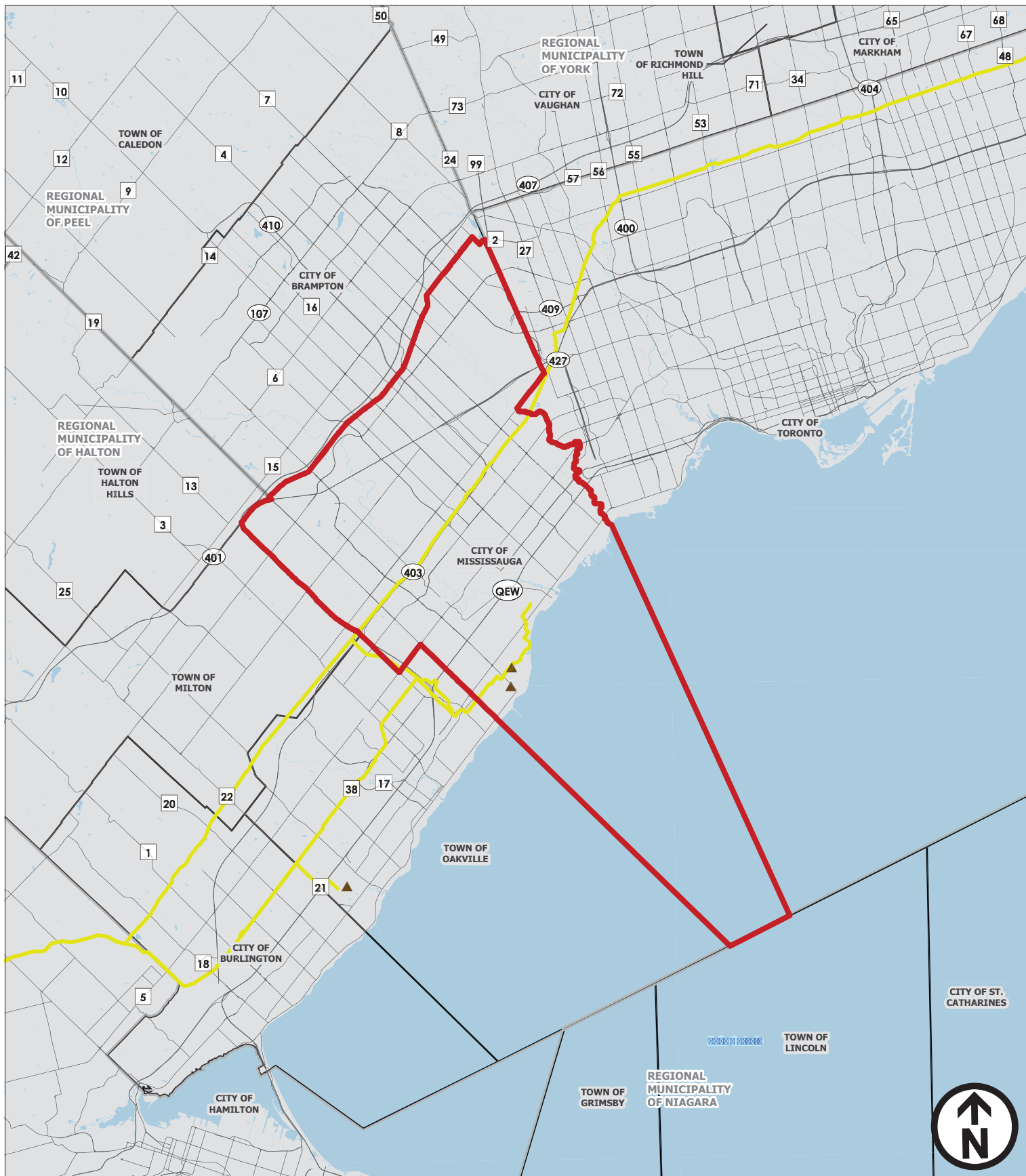
403.692.5231 | jilunga@bapg.ca

B&A Planning Group | 600, 215 – 9 Avenue SW | Calgary, AB T2P 1K3 | www.bapg.ca

Attachment 01 | Approximate Location of Pipeline Infrastructure

Attachment 02 | Enbridge Development Requirements

Attachment 03 | Enbridge Pipeline Crossing Guidelines



COORDINATES: 79 4111, 43 5500
 COORDINATE SYSTEM: NAD 1983 DATUM 17N
 DATA SOURCE: ADD 14, 2022
 MAP FILE: 0000000000000000

0 1 2 3 4 1:000,000

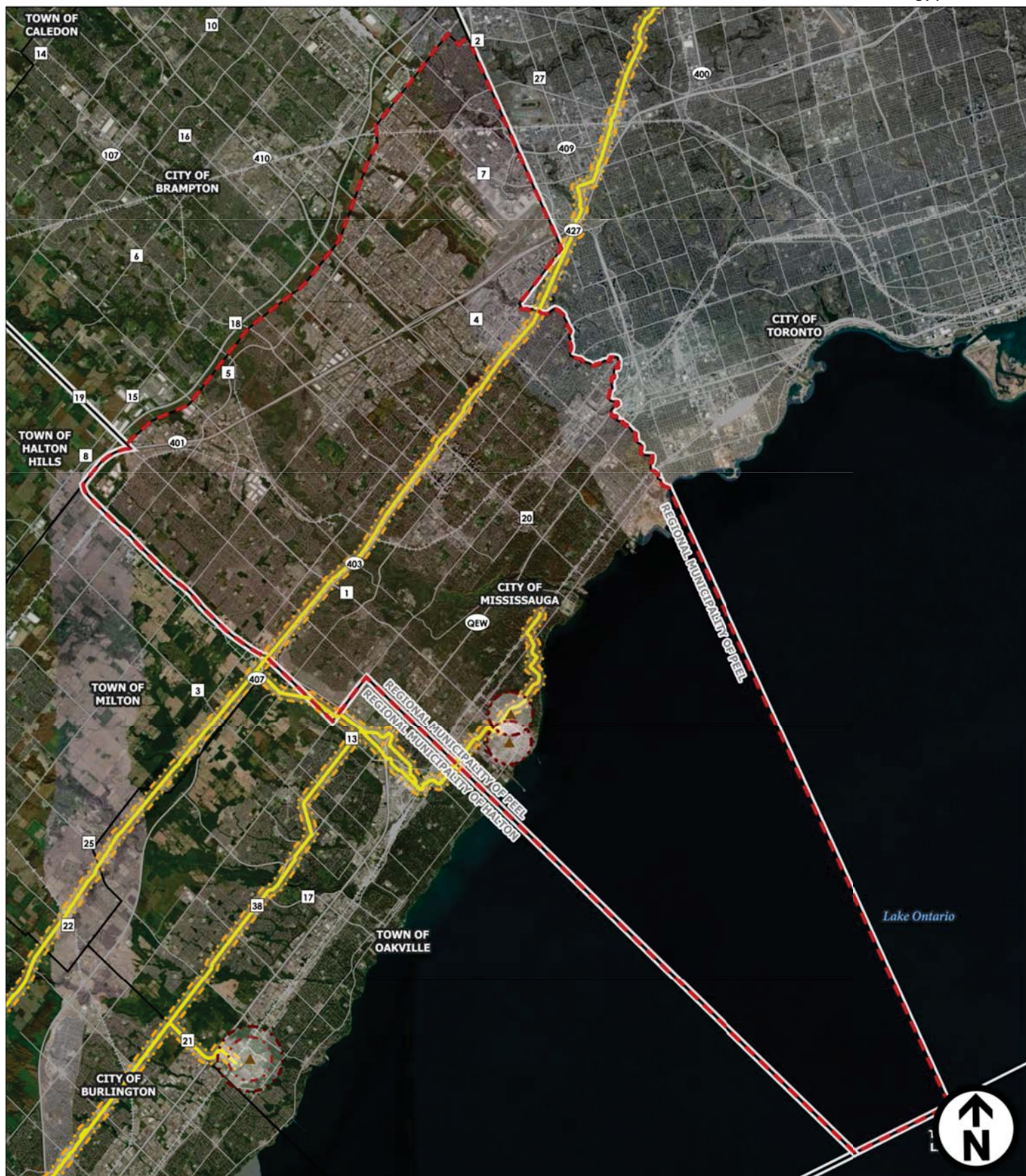


LEGEND

- PROPOSED ROUTE
- ▲ EXISTING FUTURE ROUTE
- EXISTING PROPOSED ROUTE
- MAJOR ROAD
- MUNICIPALITY - ROAD
- MUNICIPALITY - CITY
- WATER BODY

0000000000000000

0 000000000000
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 R00000000: 0000010-00100



Geographic Coordinates: -79.6111, 43.5500
 Coordinate System: NAD 1983 UTM Zone 17N
 Date Saved: Apr 14, 2022
 Map File: Referral_Mapping.aprx

0 1,000 2,000 3,000 4,000
 metres

1:190,000



Legend

- | | |
|---------------------------------|-----------------------|
| Subject Site | Prescribed Area (30m) |
| Enbridge Facility | Railway |
| Enbridge Pipeline | Municipality - Rural |
| Facility Assessment Area (800m) | Municipality - Urban |
| Pipeline Assessment Area (220m) | |

Local Context

Municipal Plan

City of Mississauga

Referral ID: **R220414-0010N**

April 2022



Geographic Coordinates: -79.6111, 43.5500
 Coordinate System: NAD 1983 UTM Zone 17N
 Date Saved: Apr 14, 2022
 Map File: Referral Mapping.aprx

0 400 800 1,200 1,600 metres 1:40,000



Legend

- | | |
|---------------------------------|----------------------|
| Subject Site | Railway |
| Enbridge Pipeline | Municipality - Rural |
| Pipeline Assessment Area (220m) | Municipality - Urban |
| Prescribed Area (30m) | |

Local Context Overlay

City of Mississauga
 Referral ID: **R220414-0010N**

April 2022

Attachment 02 | Enbridge Development Requirements

Definitions

- A **Right-of-Way (ROW)** is a strip of land where property rights have been acquired for pipeline systems by the pipeline company. It is a surveyed area of a specific width which grants legal rights of access to operate and maintain the infrastructure within it.
- The **Prescribed Area** is an area of 30 m (100 ft) perpendicularly on each side from the centreline of a pipeline. Excavation or ground disturbance within this zone requires written consent from the pipeline company pursuant to the Canadian Energy Regulator Pipeline Damage Prevention Regulations (Authorizations). Depending on the pipeline location and regulator this may also be known as a “controlled area” or “safety zone”.
- The **Pipeline Assessment Area** identifies lands on either side of a pipeline in which new development must be monitored by the pipeline operator. The requirement for and scope of this monitoring is governed by the Canada Energy Regulator (CER) and CSA Z662:19. Depending on the pipeline location, operator, and regulator this may also be known as the “notification zone”, “referral area” or “class location assessment area”.

Locating the Pipeline | Click Before You Dig

Any person planning to construct a facility across, on, along or under a pipeline (including the right-of-way), conduct a ground disturbance activity within 30 metres of the centreline of a pipe, or operate a vehicle or mobile equipment across a right-of-way, must first request a locate service. To identify the precise alignment of the pipeline on the subject lands, Locate Requests can be made online, via mobile apps, or via phone (see table below),

The locate request must be made a minimum of three (3) business days in advance of the construction, ground disturbance, or vehicle or mobile equipment crossing. The One-Call Centre will notify Enbridge to send a representative to mark the facilities, explain the significance of the markings and provide you with a copy of the locate report. Enbridge requests a minimum of five (5) business days’ notice for any work involving explosives.

Canadian One-Call Centres			
Province	Phone	Website	Mobile App
British Columbia	1.800.474.6886	www.bc1c.ca	
Alberta	1.800.242.3447	www.albertaonecall.com	Dig Info AB
Saskatchewan	1.866.828.4888	www.sask1stcall.com	Sask1st Call
Manitoba	1.800.940.3447	www.clickbeforeyoudigmb.com	
Ontario	1.800.400.2255	www.on1call.com	
Quebec	1.800.663.9228	www.info-ex.com	Info-Excavation
Nova Scotia & New Brunswick	1.800.344.5463	www.info-ex.com	Info-Excavation
Northwest Territories	Contact pipeline and facility owner directly		
www.clickbeforeyoudig.com			

Right-of-way

A right-of-way is a strip of land where property rights have been acquired for pipeline systems by the pipeline company. It is a surveyed area of a specific width which grants legal rights of access to operate and maintain the infrastructure within it:

- No permanent structures are permitted within the pipeline right-of-way area without Enbridge's prior written consent.
- Enbridge must have the ability to access Enbridge's pipeline right-of-way at all times for construction, maintenance, operation, inspection, patrol, repair, replacement and alteration of the pipeline(s). Therefore, the Enbridge pipeline right-of-way shall be maintained as green space, park belt or open space.
- No work shall take place on Enbridge's pipeline right-of-way without the presence of an Enbridge representative.
- Storage of materials and/or equipment, grading or placing fill on Enbridge's pipeline right-of-way is not permitted without prior written consent from Enbridge.

Written Consent

Any proposed crossings of the pipeline right-of-way or ground disturbance within the Prescribed Area or pipeline right-of-way are subject to Enbridge's written consent in accordance with the Canadian Energy Regulator Act and regulations including the Canadian Energy Regulator Pipeline Damage Prevention Regulations as amended or replaced from time to time (or for pipelines contained within Alberta, the Pipeline Act (Alberta) and Pipeline Rules as amended or replaced from time to time).

The applicant will require Enbridge's written consent or a crossing agreement prior to undertaking the following activities:

- Constructing or installing a facility across, on, along or under an Enbridge pipeline right-of-way;
- Conducting any activity that would cause ground disturbance (excavation or digging) on an Enbridge's pipeline right-of-way or within 30m perpendicularly on each side from the centerline of Enbridge's pipe (the "Prescribed Area");
- The operation of a vehicle, mobile equipment or machinery across an Enbridge pipeline right-of-way; outside of the travelled portion of a highway or public road;
- Using any explosives within 300m of Enbridge's pipeline right-of-way.

For more information about when written consent is required and how to submit an application, please see [Attachment 03 | Enbridge Pipeline Crossing Guidelines](#).

Prescribed Area

The Prescribed Area is an area of 30 m (approximately 100 ft) perpendicularly on each side from the centreline of a pipeline. Excavation or ground disturbance within this zone requires written consent from the pipeline company pursuant to the Canadian Energy Regulator Pipeline Damage Prevention Regulations (Authorizations). Depending on the pipeline location and regulator this may also be known as a "controlled area" or "safety zone".

For pipelines crossing provincial boundaries, Enbridge is regulated by the Canada Energy Regulator and is subject to the Canadian Energy Regulator Act and its regulations as amended or replaced from time to time.

- Section 335(1) of the Canadian Energy Regulator Act prohibits any person to construct a facility across, on, along or under a pipeline or engage in an activity that causes a ground disturbance within the Prescribed Area unless the construction or activity is authorized by the pipeline company.
- Section 335(2) of the Canadian Energy Regulator Act prohibits any person to operate a vehicle or mobile equipment across a pipeline unless the vehicle or equipment is operated within the travelled portion of a highway or public road or such operation is authorized under section 13(1) of the Canadian Energy Regulator Pipeline Damage Prevention Regulations (Authorizations).

For pipelines contained within Alberta, Enbridge is regulated by the Alberta Energy Regulator and is subject to the Pipeline Act and Pipeline Rules as amended or replaced from time to time.

- As per the Alberta Energy Regulator, any person who plans to engage in an activity that causes a ground disturbance within the pipeline right-of-way must obtain the written consent of the pipeline company.

Crossings

- Written consent from Enbridge is required for all crossings of the pipeline.
- The written authorization request must include:
 - Drawings with cross sections of the proposed new road and road widening to verify the depth of cover from both sides of the road.
 - Drawings should include any new utilities that will cross the ROW.
- No vehicles or mobile equipment, including heavy machinery, will be permitted to cross Enbridge's pipeline right-of-way without the prior written consent of Enbridge. Please complete Enbridge's Equipment Specification and Data Sheet(s) to make an application for temporary equipment crossing including timeframe, type and weight of equipment per axle together with the name of the applicant, address, contact name and phone number/email.
- Where future development such as a roadway or a parking area is proposed over the pipeline right-of-way, Enbridge may be required to carry out pipeline inspection and recoating of the existing pipeline(s) prior to the start of the development. **The costs of Enbridge's design, inspection, recoating work and any other pipeline alteration as a result of the crossing will be borne by the Developer.**

Ongoing Activities

- Written consent must be obtained from Enbridge for ongoing activities such as mowing or maintenance of the pipeline right-of-way on public lands.

Class Monitoring in the Pipeline Assessment Area

As per Federal and Provincial Regulatory Requirements and Standards, pipeline operators are required to monitor all new development in the vicinity of their pipelines that results in an increase in population or employment. Therefore, please keep us informed of any additional development being proposed within the Pipeline Assessment Area indicated in **Attachment 01 | Approximate Location of Pipeline Infrastructure**.

- If a pipe replacement is necessary because of the proposed development, temporary workspace shall be granted to Enbridge on terms and conditions to be (or as) negotiated. This workspace will be adjacent to the existing pipeline right-of-way and may be up to a maximum of 15m wide on either or both sides. Grading or landscaping of the workspace is not permitted until the replacement has been completed.

Subdivisions

- Lot lines are not to be incorporated over Enbridge's pipeline right-of-way. If lot lines are incorporated over Enbridge's pipeline right-of-way, the owner agrees, in writing to include the following warning clause in all offers of sale and purpose and/or lease:
"Future residents are advised that Enbridge owns and operates _____ pipeline(s) within an _____ m pipeline right-of-way on the property. As a result, there are conditions that apply to various activities over the pipeline right-of-way that must be approved by Enbridge."
- All display plans in the lot/home sales office shall identify the Enbridge pipeline right-of-way-corridor within the proposed linear park block(s).

Structures and Setbacks

Development setbacks from pipelines and rights-of-way are recommended in support of damage prevention and to allow both pipeline operators and developers buffer lands for operations and maintenance purposes.

- No permanent structures are permitted within the pipeline right-of-way area without Enbridge's prior written consent.

Other Development

Wells / Septic Systems

Wells or septic systems shall not be located on Enbridge's pipeline right-of-way. Construction of any septic system within 30m of the pipeline right-of-way requires prior written notification to Enbridge to ensure the septic bed will not adversely impact the integrity of the pipeline and pipeline right-of-way. Written consent from Enbridge must be received prior to the start of any work.

Aerial Power Lines

Aerial power lines crossing the pipeline right-of-way require aerial warning devices installed and properly maintained. No poles, pylons, towers, guys, anchors or supporting structures of any kind are permitted on the pipeline right-of-way.

Pathways, Fencing & Landscaping

Fencing Along ROW

- For development along an Enbridge right-of-way, permanent fencing shall be erected and maintained by the Developer at the Developer's cost along the limits of Enbridge's pipeline right-of-way. The fence erected must meet Enbridge's and the governing municipality's specifications concerning type, location and height. Any excavations for fence posts on, or within 30m of the pipeline must be done by hand or hydrovac. There shall be no augers operated on the pipeline right-of-way. The Developer shall notify Enbridge three business (3) days prior to any excavation for fence posts located on or within 30m of the pipeline.
- Limits of the pipeline right-of-way parallel to the pipeline shall be delineated with permanent fencing to prevent gradual encroachment by adjacent landowners. Suitable barriers shall be installed at all road accesses to prevent unauthorized motor vehicles from entering Enbridge's pipeline right-of-way.
- Enbridge's written consent must be obtained and One Call notifications must be completed prior to any fence installations.

Landscaping

No landscaping shall take place on Enbridge's pipeline right-of-way without Enbridge's prior written consent and where consent is granted such landscaping must be performed in accordance with Enbridge's Pipeline Crossing Guidelines, as follows:

- The landowner / developer shall ensure a 5m continuous access way in the pipeline right-of-way is provided for the Enbridge repair crews.

In order to maintain a clear view of the pipeline for the purposes of right-of-way monitoring, which is required by federal regulation, trees and shrubbery planted in proximity to the pipeline must meet the following criteria:

- Enbridge permits the following vegetation within the pipeline right-of-way: Flowerbeds, vegetable gardens, lawns and low shrubbery (under 1 m in height), and
- The mature growth height of vegetation does not exceed 1.5 m (5 ft) at maturity and must maintain a minimum distance of 3 m (10 ft) from the nearest pipeline.

Pathways / Trails

No pathways shall be installed on Enbridge's pipeline right-of-way without Enbridge's prior written consent and where consent is granted pathways must be designed in accordance with Enbridge's requirements:

- A pathway crossing Enbridge's pipeline right-of-way shall be installed as close as possible to a ninety (90) degree angle to the Enbridge pipeline(s).
- The width of the pathway shall not exceed 3m.
- A parallel pathway within Enbridge pipeline right-of-way shall maintain a minimum 5m separation from the edge of the Enbridge pipeline(s).
- Enbridge's pipeline(s) must be positively identified at certain intervals as directed by Enbridge's representative for parallel installation.
- Enbridge shall install pipeline markers at all road, pathway and other crossings throughout the development area at Developer's cost.

Drainage and Erosion

- The Developer shall ensure drainage is directed away from the pipeline right-of-way so that erosion will not adversely affect the depth of cover over the pipeline(s).
- Any large-scale excavation adjacent to the pipeline right-of-way, which is deeper than the bottom of the pipe, must maintain a slope of 3:1 away from the edge of the pipeline right-of-way.
- Depth of cover over Enbridge pipeline(s) shall not be compromised over the life of the Developer's facility due to rutting, erosion or other means.

Construction

- During construction of the site, temporary fencing must be erected and maintained along the limits of the pipeline right-of-way by the Developer to prevent unauthorized access by heavy machinery. The fence erected must meet Enbridge's specifications concerning type, height and location. The Developer is responsible for ensuring proper maintenance of the temporary fencing for the duration of construction. The Developer is responsible for the cost of material, installation and removal.
- Original depth of cover over the pipeline(s) within Enbridge's pipeline right-of-way shall be restored after construction. This depth of cover over the pipeline(s) shall not be compromised over the life of the Developer's facility due to rutting, erosion or other means.
- In the event Enbridge's pipeline(s) suffer contact damage or other damage as a result of construction, work shall stop immediately and Enbridge to be immediately notified.

Liability

In no event shall Enbridge be liable to the developer and/or landowner(s) for any losses, costs, proceedings, claims, actions, expenses or damages (collectively "Claims") the Developer and/or landowner(s) may suffer or incur as a result of or arising out of the presence of Enbridge pipeline(s) and/or operations on the pipeline right-of-way. The Developer and/or landowner(s) shall be responsible for all costs and expenses incurred to install, repair, replace, maintain or remove the Developer's and/or landowner(s) installations on or near the pipeline right-of-way and shall indemnify and save harmless Enbridge from all Claims brought against, suffered or incurred by Enbridge arising out of the activities of the Developer and/or landowner(s) in respect of the development or arising out of the presence, operation or removal of the Developer's and/or landowner(s) installations on or near Enbridge's pipeline right-of-way.

Enbridge Pipeline Crossing Guidelines, Canada

Application Guidance Details

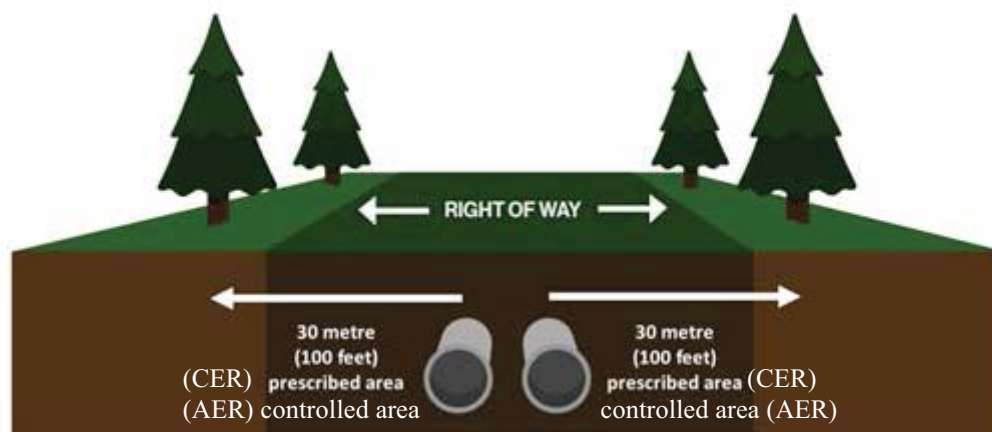
May 2020 v2.0

Application Guidance Details

1. WHO REQUIRES CONSENT?

Consent is governed by the Canada Energy Regulator (CER) for interprovincial or international (federally regulated) pipelines and the Alberta Energy Regulatory (AER) for intra-provincial (provincially regulated) pipelines within the Province of Alberta. To ensure our pipelines and facilities operate safely written consent from Enbridge must be obtained in Canada before any of the following occur:

- ❖ Construction or installation of a new facility across, on, along or under Enbridge's pipeline and/or right-of-way;
- ❖ Ground disturbance activities in the prescribed area (CER) or controlled area (AER) which extends 30m from each side of the centerline of the pipeline;
- ❖ Operation or movement of vehicles, mobile equipment or machinery across Enbridge's right-of-way, outside of the travelled portion of a highway or public road;
- ❖ Using explosives within 300m of Enbridge's pipeline right-of-way;
- ❖ Use of the prescribed area or controlled area for storage or workspace purposes;
- ❖ Subdivision development across, on, along or over Enbridge's pipeline and/or right-of-way;
- ❖ Landowners wishing to install agricultural drainage tile across, on, along or under Enbridge's pipeline and/or right-of-way.



Activities that cause a ground disturbance include, but are not limited to, the following:

- | | |
|---------------------------|---|
| ❖ digging | ❖ clearing and stump removal |
| ❖ excavation | ❖ subsoiling |
| ❖ trenching | ❖ blasting/using explosives |
| ❖ ditching | ❖ quarrying |
| ❖ tunneling | ❖ grinding and milling of asphalt/concrete |
| ❖ boring/drilling/pushing | ❖ seismic exploration |
| ❖ augering | ❖ driving fence posts, bars, rods, pins, anchors or pilings |
| ❖ topsoil stripping | ❖ plowing to install underground infrastructure |
| ❖ land levelling/grading | ❖ crossing of buried pipelines or other underground infrastructure by heavy loads off the travelled portion of a public roadway |
| ❖ tree or shrub planting | ❖ installing agricultural drainage tile |

Under section 2 of the Canadian Energy Regulator Act, ground disturbance does not include:

- ❖ Cultivation to a depth of less than 45cm below the surface of the ground
- ❖ Any activity to a depth of less than 30cm and that does not result in reduction of the depth of earth cover over the pipeline less than that approved at time of construction

2. CROSSING A PIPELINE WITH AN AGRICULTURAL VEHICLE OR MOBILE EQUIPMENT

For pipelines regulated by the Canada Energy Regulator, the *Canadian Energy Regulator Pipeline Damage Prevention Regulations – Authorizations* provides that persons operating agricultural vehicles or mobile equipment across pipelines may do so in low-risk areas, under certain conditions:

- ❖ the loaded axle weight and tire pressures of the vehicle or mobile equipment are within the manufacturer's approved limits and operating guidelines; AND
- ❖ the point of crossing has not been the subject of a notification from the pipeline company that crossing at that location could impair the pipeline's safety or security.

This applies to vehicles or mobile equipment used for agricultural activities in the production of crops and the raising of animals and includes pasturing and cultivation activities such as tillage, plowing, disking and harrowing.

For pipelines regulated by the Alberta Energy Regulator, the *Pipeline Regulation (under the Pipeline Act)* provides that persons operating vehicles or equipment used for farming operations; or use of off-highway vehicles [as defined in section 117(a)(iii) to (viii) of the Traffic Safety Act] or use of private passenger vehicles (as defined in section 1(1)(jj) of the Traffic Safety Act) less than $\frac{3}{4}$ ton may temporarily cross over an AER regulated pipeline without further approval from Enbridge.

However, if neither of the above requirements can be met then an application must be submitted to Enbridge for further review and processing.

3. HOW TO APPLY FOR ENBRIDGE CONSENT

The applicant must submit a written request, either by completing the Application Form (attached) or a letter with equivalent information, together with the applicable drawing(s) to the respective Enbridge crossings department as set out in the *Contact Us* section of this document.

The drawing(s) must be prepared in accordance with the minimum standards as set out in the *Drawing Requirements* section of this document.

Enbridge's Equipment Specification and Data Sheet (attached) must also be completed for any vehicle/ mobile equipment crossing applications.

For federally regulated pipelines, the applicant may petition the Commission for approval of construction activity if:

- ❖ the applicant cannot comply with the terms and conditions as set out in the company's written consent;
- ❖ the applicant feels the terms and conditions in the company's written consent are excessive; or
- ❖ If the company refused to grant approval to the applicant for reasons of pipeline integrity, public safety or company policy.

An application can be filed with the Commission by writing to:

Secretary of the Commission
Canada Energy Regulator
Suite 210, 517 – 10th Ave SW
Calgary AB T2R 0A8
Phone: 1-877-288-8803
Online: www.cer-rec.gc.ca

Applications may be filed with the Commission by mail, courier or facsimile by calling the toll-free number at 1-877-288-8803. Applications can also be uploaded through the CER's Applications and Filings Portal on the CER website at Home / Applications and Filings / Submit Applications and Regulatory Documents / File under the CER Act / OPR: CER Act – Guide C (<http://www.cer-rec.gc.ca/pp/ctnflng/sbmt/nbpr-eng.html>).

4. DRAWING REQUIREMENTS

The following represents the minimum information that is required to be shown on the drawing(s) in order for Enbridge to review your application. Dimensions must be shown on the drawing(s) and may be done in either imperial or metric units (if metric, then to one decimal point).

NOTE: incomplete drawings and/or an incomplete application will be rejected back to the applicant.

(a) Permanent Installations

All proposed permanent installation drawings MUST contain the following items:

1. Plan Number, including any revision number and the respective date;
2. North Arrow;
3. Scale;
4. Legend;
5. Location indicator including: legal land description, PIN, GPS coordinates;
6. Plan view of whole quarter section or affected area including:
 - ❖ Lot lines, road limits
 - ❖ Proposed facilities (including curbs, footing, guard rails, guy wires, poles, fences, etc.) with tie dimensions to lot survey line preferably along pipeline and/or right-of-way boundary
 - ❖ Location of cathodic test lead terminals (if applicable);
7. Cross section view and/or profile view including:
 - ❖ For surface structures, show profile along pipeline(s) with highest elevation
 - ❖ For underground facilities show profile along facility
 - ❖ Property lines, pipeline(s) and depth of cover
 - ❖ All underground facilities must maintain an even elevation across the entire width of right-of-way except for gravity type facilities or those facilities installed by HDD;
 - ❖ Drill path plan for HDD installations
 - ❖ Unsupported span (m) of Enbridge pipeline for open cut installations
8. Crossing Angle;
9. Crossing location circled in red;
10. Identify all affected Enbridge facilities, right-of-way(s) and pipeline markers;
11. Method of Installation (MOI) (**Refer to Interpretation/Definitions section*);
12. Minimum Clearance (**Refer to Interpretation/Definitions section*);
13. Facility specifications:
 - ❖ PIPE/CABLE: pipe diameter, pipe material, product conveyed, cable size, if cable is within a conduit, conduit material, cable voltage; unsupported span (meters) of existing pipeline if MOI is open cut;
 - ❖ ROAD: width of road, cover at ditch, cover at center of road, surface material, road type/use; design loading calculation; indicate if any Government or Provincial setback requirements
 - ❖ OVERHEAD POWER: pole number(s), location of pole/guy wire/anchors/etc., method of installation of pole/guy wire/anchors/etc., horizontal clearance to pipe from proposed pole/guy wire/anchors/etc., vertical clearance to ground/grade, voltage, type of power (AC/DC), AC mitigation plan may be required;
 - ❖ PIPE RACK: height of pipe rack, pile location(s), pile clearance to Grantor's facility, pile installation method; alternate access route provided for rural locations
 - ❖ DRAINAGE TILE: location of tiles and incremental cost analysis.
14. Complete the Equipment Specification and Data Sheet, when required.

(b) Temporary Activities

All temporary drawings MUST contain the following:

1. Plan Number, including any revision number and the respective date;
2. North Arrow;
3. Scale;
4. Legend;
5. Location indicator including: legal land description, PIN, GPS coordinates;
6. Plan view of whole quarter section or affected area;
7. Temporary activities location circled in red;
8. Identify all affected Enbridge facilities, right of way(s) and/or PLA/easement ownership;
9. Facility specifications:
 - ❖ WORKSPACE: location, measurement of workspace, purpose;
 - ❖ ACCESS OF ROW: location, kilometer usage of ROW, width of access; egress/ingress points, complete the Equipment Specification and Data Sheet (attached);
 - ❖ EQUIPMENT CROSSING: complete the Equipment Specification and Data Sheet (attached);
 - ❖ ROAD USE: indicate road(s) to be utilized, km usage, reason required, frequency of use; complete the Equipment Specification and Data Sheet (attached);
 - ❖ GEOPHYSICAL: project/prospect name, number of reading units/lines, type of source, CER approval required (Y/N).

5. INTERPRETATION / DEFINITIONS

For crossing application purposes, Enbridge defines the following as:

Grantee means the applicant or the facility owner; a company, a person, a municipality or government body, etc.

Method of Installation means OPEN CUT or HDB or HDD; all defined as follows:

OPEN CUT

Enbridge defines open cut as trench methodology wherein access is gained to the required level underground for the proposed installation, maintenance or inspection of a pipe, conduit or cable. The excavated trench is then backfilled and the surface restored.

HORIZONTAL DIRECTIONAL BORE (HDB)

Enbridge defines horizontal directional bore as meeting ALL of the following:

- (a) The designed horizontal distance of the crossing shall be less than or equal to 150m (500ft) in length; AND
- (b) The depth of the pipeline installation shall be limited to 8m (25ft) to the centre (cross-section) of the pilot hole and measured to the corresponding surface location; AND
- (c) Straight alignment in the horizontal plane; AND
- (d) Pilot bit is steerable and trackable.

HORIZONTAL DIRECTIONAL DRILL (HDD)

Enbridge defines horizontal directional drill as an *HDB* that DOES NOT meet all of the criteria for an *HDB*. An *HDD* will satisfy some but not all of: a, b and c above and will satisfy d.

Minimum Clearance means the required distance between the existing Enbridge facility and the proposed facility based on the selected *Method of Installation*.

Minimum clearance required for installation ABOVE Enbridge facility by OPEN CUT is 0.3m
Minimum clearance required for installation BELOW Enbridge facility by OPEN CUT is 0.6m
Minimum clearance required for installation BELOW Enbridge facility by HDB is 1.0m
Minimum clearance required for installation BELOW Enbridge facility by HDD is 3.0m
Minimum clearance required for road installation from bottom of ditch to top of Enbridge facility is 0.9m and from centerline of road to top of Enbridge facility is 1.2m
Minimum clearance required for railway installation from bottom of ditch to top of Enbridge <i>uncased</i> facility is 1.83m and from centerline of rail bed to top of Enbridge <i>uncased</i> facility is 3.05m
Minimum clearance required for railway installation from bottom of ditch to top of Enbridge <i>cased</i> facility is 0.91m and from centerline of rail bed to top of Enbridge <i>cased</i> facility is 1.68m

6. WRITTEN CONSENT

After applying for written consent, Enbridge will review the proposed installation and/or temporary activities application in order to ensure that the proposed work will not pose a risk to existing Enbridge facilities, as well as, to ensure that any access required to existing facilities for maintenance or in an emergency situation will not be impeded.

Some applications may require further engineering assessment which will require additional time to review the proposed installation and/or temporary activities prior to Enbridge issuing consent. All efforts will be made to provide an agreement within an appropriate timeframe, however, please ensure that your application request is submitted with ample lead time.

7. CONTACT US

To obtain written consent from Enbridge, please contact the respective office as set out below:

REGION	CONTACT INFORMATION
LIQUIDS PIPELINES - WESTERN CANADA (Alberta, Saskatchewan, Manitoba and Norman Wells)	Lands & ROW 330, 10180 – 101 Street Edmonton AB T5J 3S4 Email: crossingrequests@enbridge.com Phone: 780-378-2228
LIQUIDS PIPELINES - EASTERN CANADA (Ontario and Quebec)	Lands & ROW 1 st Floor, 1086 Modeland Road, Bldg 1050 Sarnia ON N7S 6L2 Email: est.reg.crossing@enbridge.com Phone: 1-800-668-2951
GAS PIPELINES / STORAGE - BRITISH COLUMBIA	Lands & ROW 200, 425 – 1 Street SW Calgary AB T2P 3L8 Email: crossings@enbridge.com Phone: 587-747-6538

GAS STORAGE - ONTARIO	3501 Tecumseh Road Mooretown ON N0N 1M0 Email: chris.pincombe@enbridge.com Phone: 519-862-6092
GAS PIPELINE - ALLIANCE	Lands & ROW 600, 605 – 5 Ave SW Calgary AB T2P 3H5 Email: crossings@alliancepipeline.com Phone: 403-266-4464

For more information on Enbridge Gas Distribution please click the link: <https://www.enbridgegas.com/gas-safety/pipeline-safety.aspx>

8. ONE CALL CENTRES

Before putting a shovel in the ground, whether it is in your backyard or a commercial jobsite, please do a locate request to safely identify any buried utility lines at www.clickbeforeyoudig.com.

Your local one call centre can also be reached by phone as shown below:

CALL OR CLICK BEFORE YOU DIG!! Contact your respective one-call centre	
British Columbia https://www.bconecall.bc.ca/ 1-800-474-6886	Alberta http://albertaonecall.com 1-800-242-3447
Saskatchewan www.sask1stcall.com 1-866-828-4888	Manitoba http://www.clickbeforeyoudigmb.com/ 1-800-940-3447
Ontario www.on1call.com 1-800-400-2255	Quebec www.info-ex.com 1-800-663-9228
Northwest Territories 1-867-587-7000 Or contact the pipeline company directly	

9. REGULATORS

In Canada, Enbridge has pipelines that are regulated by both the federal government and provincial governments. For more information on any of the regulators please visit their respective website.

Canada Energy Regulator: www.cer-rec.gc.ca

Alberta Energy Regulator: www.aer.ca

10. DEVELOPMENT ON OR NEAR THE RIGHT-OF-WAY

Enbridge should be consulted early in the design phase with regards to proposed subdivisions, roads and utilities, and municipal landscaping.

Subdivisions – Enbridge highly recommends that our right-of-way be used as a passive green space or as part of a linear park system. Permanent structures on the right-of-way are not permissible.

Roads and Utilities – Roads may be permitted to cross and/or run parallel to the right-of-way but no portion of a road allowance can be located on the right-of-way (apart from approved road crossings). Enbridge will review the location of utilities which are often proposed within the road allowance.

Landscaping – Projects such as pedestrian pathways may be permitted as long as they do not impede Enbridge's access along its right-of-way for operational and/or maintenance activities. Enbridge's written consent will specify the permitted landscaping requirements.

11. DAMAGE PREVENTION

Enbridge's underground facilities must be positively identified, to Enbridge's satisfaction, prior to the start of any proposed construction activities.

Enbridge's representative(s) have the authority to stop work at any time due to safety, environmental or operational concerns and/or unforeseen circumstances or emergency situations.

****IMMEDIATELY NOTIFY ENBRIDGE IF YOU COME INTO CONTACT WITH THE PIPE! ****

As a small scratch or dent in the pipeline's coating can impact long term safety of the pipeline and must be assessed by Enbridge.

Please note that obstacles or un-approved above ground installations located on an Enbridge right-of-way, such as sheds, trailers, boats and pools can interfere with Enbridge's access of their right-of-way. Permanent structures on the right-of-way are NOT permissible.

Enbridge must be contacted before conducting any blasting activities within 300m of the pipeline right-of-way so that Enbridge can review the proposed plans in order to see if there might be potential impacts to its facilities. Blasting activities related to prospecting for mines and minerals within 40m of a federally regulated pipeline right-of-way requires permission from the Canada Energy Regulator.

12. EMERGENCY SITUATIONS

In an emergency situation please provide as much notice, as is practicable, to Enbridge prior to commencement of any construction, excavation, installation or temporary crossing of existing pipelines and/or right-of-ways in order to access the emergency site.

Enbridge classifies an emergency situation as:

- ❖ A risk to human life;
- ❖ Required emergency repairs of public services; or
- ❖ To contain an environmental emergency.

In an emergency situation please call: **1-877-420-8800** (toll free) and/or contact your local One Call provider at the numbers listed in section 8.

DISCLAIMER: THESE GUIDELINES ARE INTENDED TO PROVIDE USEFUL CROSSING APPLICATION GUIDANCE INFORMATION TO THE APPLICANT. SUBMISSION OF AN APPLICATION MEETING THE REQUIREMENTS AS SET OUT HEREIN DOES NOT CONSTITUTE WRITTEN CONSENT FROM ENBRIDGE. ALL APPLICATIONS WILL BE REVIEWED BY ENBRIDGE TO DETERMINE WHETHER THE APPLICATION WILL BE APPROVED.

THIRD PARTY CROSSING APPLICATION FORM**APPLICANT INFORMATION****Grantee* Full Legal Name for Agreement:****Regulator:****Other:****Grantee Address for Service:****Grantor/Enbridge Entity****Application by Broker/Land Consultant**Yes ☐ No ☐**Broker/Land Consultant Name:****Contact Person Name:****Contact Person Phone Number:****File Number:****Broker/Land Consultant Address:****CROSSING INFORMATION****Expected construction start and end date(s):****Permanent Installation** ☐**Temporary Activities** ☐Crossing ☐Drainage Tile ☐Pole/Pile Installation ☐Other ☐Workspace ☐Equipment Crossing ☐Access of ROW ☐Geophysical ☐Road Use ☐Proximity ☐Other ☐**Location indicator including affected legal land description(s), PIN and GPS Coordinates (Latitude and Longitude Decimal Degree):****Grantor's Affected Disposition(s) (Alberta) (i.e. PLA # or License # or Line #):****Grantee's Field Contact Information:**

Name:

Phone:

Email:

THIRD PARTY CROSSING APPLICATION FORM**Details of Grantee's Proposed Permanent Installation and/or Purpose of Temporary Activities****Method of Installation*** *(For permanent installations)*Open Cut ☐ HDB ☐ HDD ☐**Drawing(s) Attached**Yes ☐ No ☐**Drawing Requirements Met ***Yes ☐ No ☐**Equipment Specification and Data Sheet Attached ***Yes ☐ No ☐ N/A ☐**Notes/Additional Information:****SUBMIT TO:**

LIQUIDS PIPELINES WESTERN CANADA (Alberta, Saskatchewan, Manitoba and Norman Wells)	LIQUIDS PIPELINES EASTERN CANADA (Ontario and Quebec)
Department: Lands & ROW	Department: Lands & ROW
Address: 330, 10180 – 101 Street Edmonton AB T5J 3S4	Address: 1 st Floor, 1086 Modeland Road, Bldg 1050 Sarnia ON N7S 6L2
Email: crossingrequests@enbridge.com	Email: est.reg.crossing@enbridge.com



Equipment Specification and Data Sheet(s)

In order to properly conduct an analysis on the requested crossing the following general information and appropriate data sheets are required to be completed.

Steps:

1. Complete the *Applicant – Information and Details* document for each crossing application
2. Add and complete the *Data Sheet – Equipment or Vehicle with Tires* for EACH piece of equipment
3. Add and complete the *Data Sheet – Equipment with Tracks* for EACH piece of equipment
4. Return fully completed general information and data sheets and any other pertinent information

Applicant Information

Applicant Name:	
Applicant Contact Person Name:	
Email:	
Phone Number:	
Applicant Reference/File Number:	

Details

Description and Purpose of Crossing:				
Location Indicator (legal land description, PIN, etc.)				
GPS Coordinates:(Latitude and Longitude Decimal Degree)				
Duration:	Temporary <input type="checkbox"/>		Permanent <input type="checkbox"/>	
Start Date:			End Date:	
Equipment or Vehicle with Tires:	Yes	No	Datasheet:	
Equipment with Tracks:	Yes	No	Datasheet:	

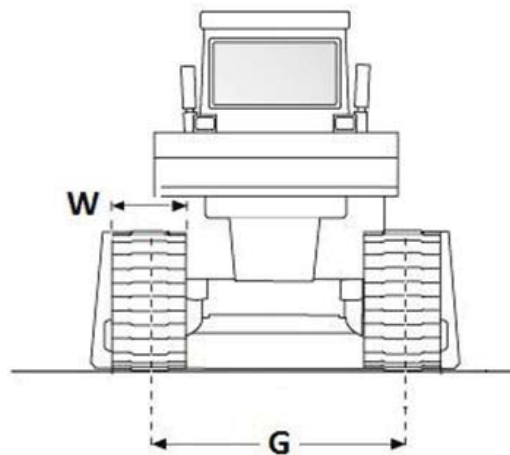
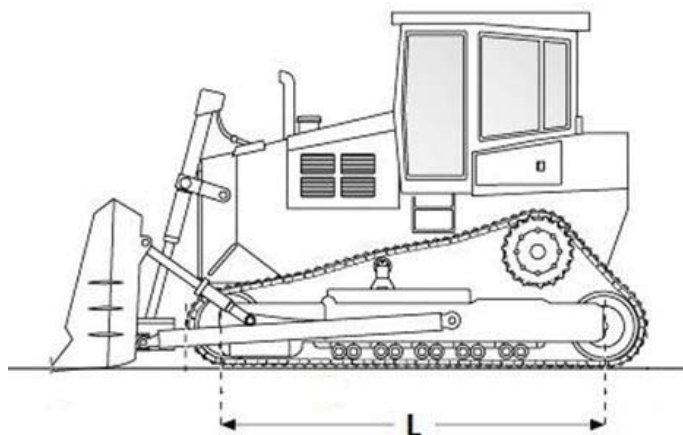
Data Sheet – Equipment with Tracks

Complete this data sheet for each piece of equipment with tracks.

Equipment with Tracks

INDICATE UNITS

Manufacturer:			
Model:			
Equipment Description:			
Fully Loaded Gross Vehicle Weight:			Weight Unit
	Track Shoe Width (refer to W below)	Track Length on Ground (refer to L below)	Track Gauge (on center) (refer to G below)
Units	Select Unit	Select Unit	Select Unit
Track			



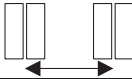
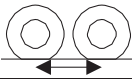
Data Sheet – Equipment or Vehicle with Tires

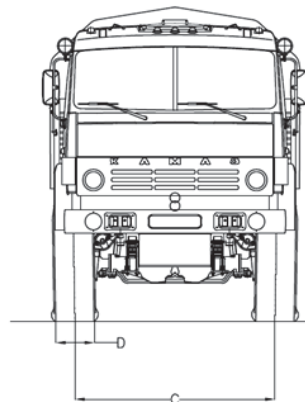
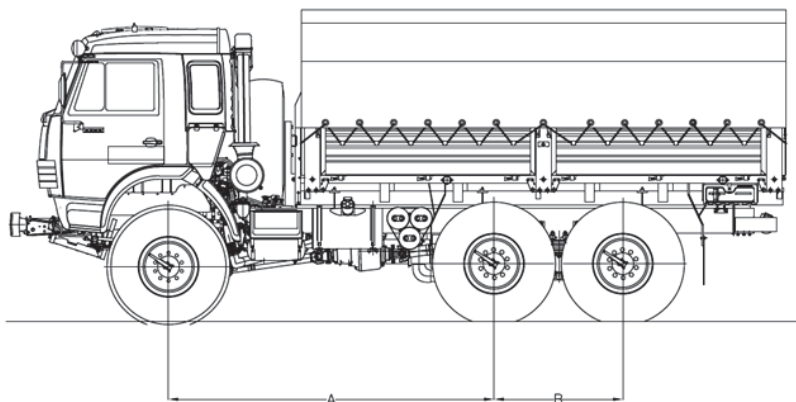
Complete this data sheet for **EACH** piece of equipment or vehicle with tires.

EXCLUSION: pick up trucks of one ton or less

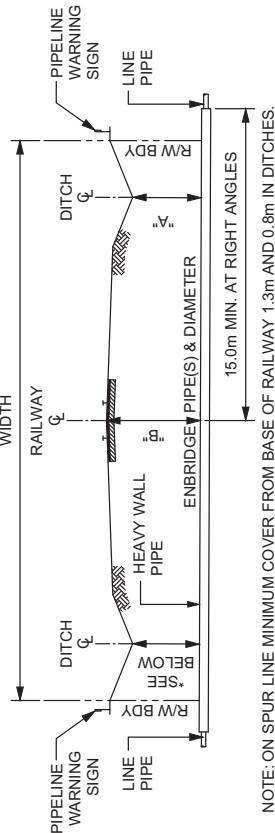
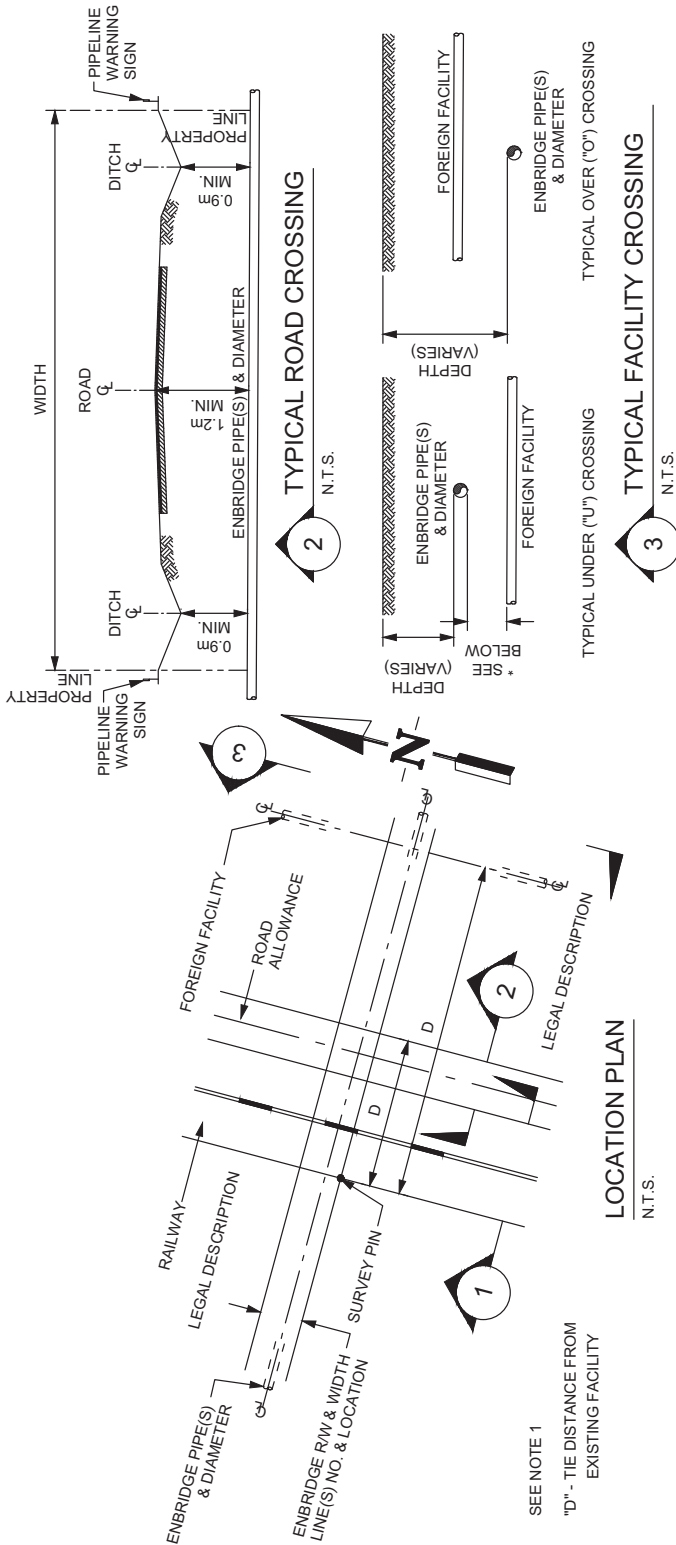
Equipment or Vehicle with Tires

INDICATE UNITS

Manufacturer:						
Model:						
Equipment Description:						
Fully Loaded Gross Vehicle Weight:					Weight Unit	
Road legal without overweight permit?		Yes			No	
Axle	Maximum Loaded Weight PER Axle	Number of Tires PER Axle	Tire Width (refer to D below)	Tire Pressure	Distance between Tire Set Centerlines (refer to C below) 	Centerline Distance to Previous Axle (refer to A below) (refer to B below) 
Units	Select Unit		Select Unit	Select Unit	Select Unit	Select Unit
Steering						
2 nd						
3 rd						
4 th						
5 th						
6 th						
7 th						



NOTE:
1. ENBRIDGE PIPELINES
OPERATE UNDER HIGH PRESSURE
THEREFORE ENBRIDGE
REPRESENTATIVE(S) MUST BE
PRESENT DURING CONSTRUCTION.
2. THIS DRAWING IS FOR
REFERENCE ONLY. ACTUAL SITE
DETAILS OR REQUIREMENTS MAY
VARY.

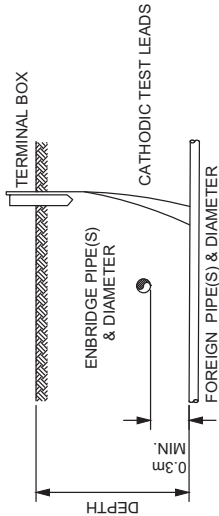


TYPICAL MAINLINE RAILWAY CROSSING

N.T.S.

* MINIMUM CLEARANCE:	
"A"	"B"
CASED	1.68m
UNCASED	3.05m

* MINIMUM CLEARANCE:
-0.3m IF OPEN CUT ABOVE ENBRIDGE PIPES
-0.6m IF OPEN CUT BELOW ENBRIDGE PIPES
-1.0m IF HDD UNDER ENBRIDGE PIPES
-3.0m IF HDD UNDER ENBRIDGE PIPES



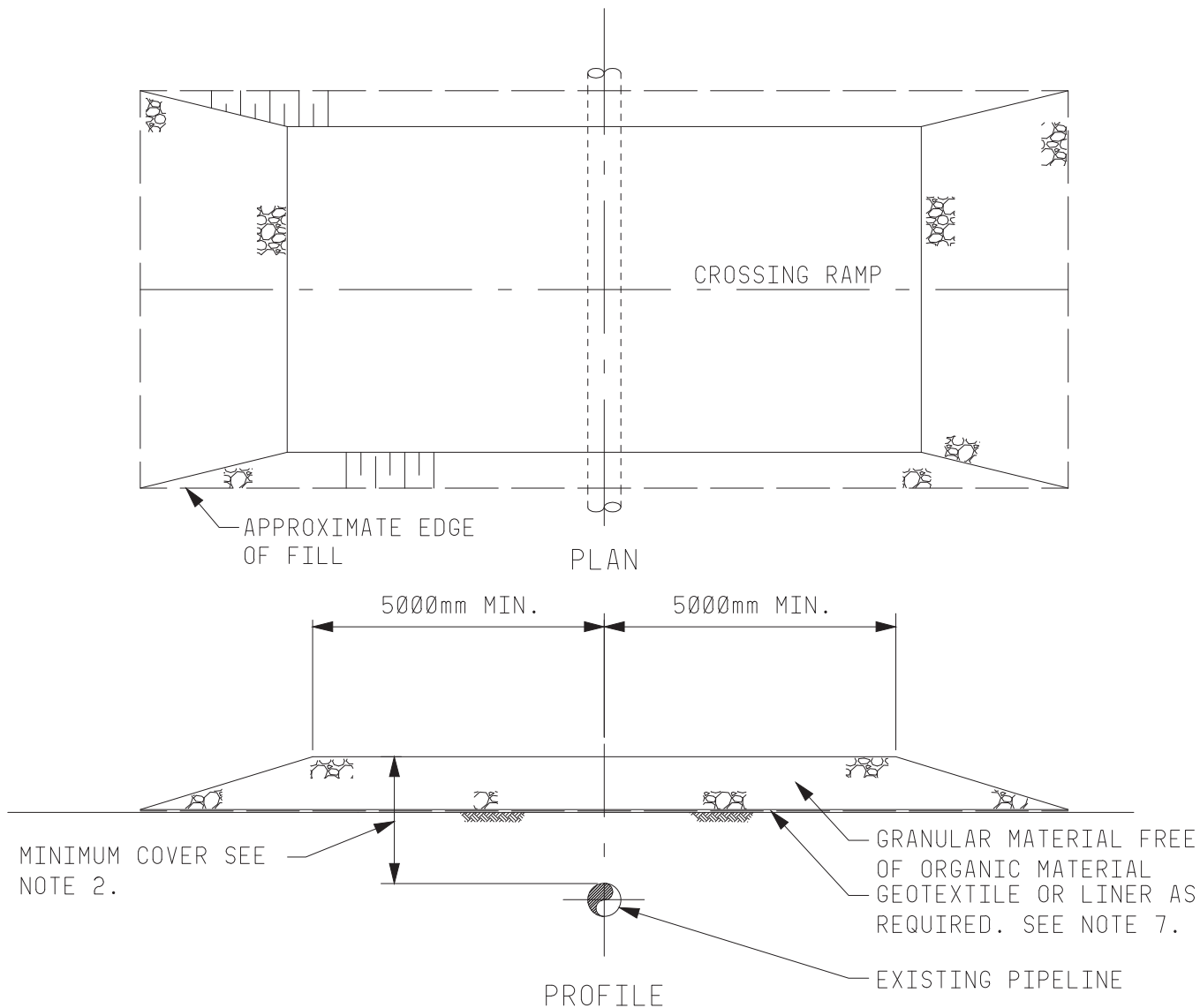
TYPICAL TEST LEAD CONNECTION

(STEEL PIPELINES)

N.T.S.

REFERENCE DRAWING	
1	ENBRIDGE PIPELINE CROSSING ROAD
2	ENBRIDGE PIPELINE CROSSING RAILWAY
3	ENBRIDGE PIPELINE CROSSING FACILITY
4	ENBRIDGE PIPELINE CROSSING TEST LEAD CONNECTION
5	ENBRIDGE PIPELINE CROSSING TIE
6	ENBRIDGE PIPELINE CROSSING TIE
7	ENBRIDGE PIPELINE CROSSING TIE
8	ENBRIDGE PIPELINE CROSSING TIE
9	ENBRIDGE PIPELINE CROSSING TIE
10	ENBRIDGE PIPELINE CROSSING TIE
11	ENBRIDGE PIPELINE CROSSING TIE
12	ENBRIDGE PIPELINE CROSSING TIE
13	ENBRIDGE PIPELINE CROSSING TIE
14	ENBRIDGE PIPELINE CROSSING TIE
15	ENBRIDGE PIPELINE CROSSING TIE
16	ENBRIDGE PIPELINE CROSSING TIE
17	ENBRIDGE PIPELINE CROSSING TIE
18	ENBRIDGE PIPELINE CROSSING TIE
19	ENBRIDGE PIPELINE CROSSING TIE
20	ENBRIDGE PIPELINE CROSSING TIE

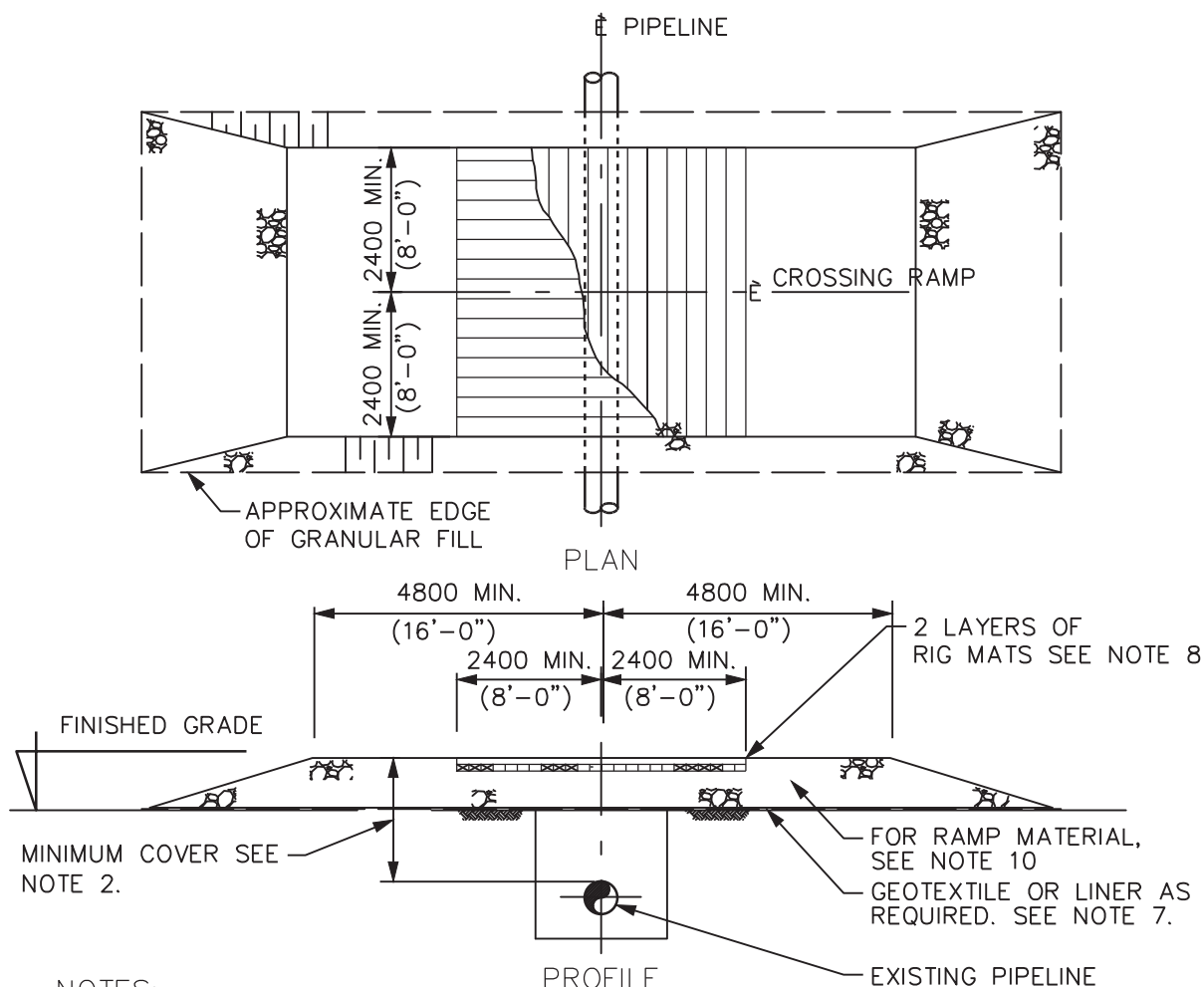
TYPICAL CROSSING DETAILS FOR THIRD PARTY APPLICANTS CROSSING ENBRIDGE PIPELINES CANADA	
BY NAME	ENR. 1001-001
DATE	10/10/00
SCALE	AS SHOWN
PROJECT NO.	B-1-02-5052-0
REV.	3



NOTES:

1. ON COMPLETION OF CONSTRUCTION, CONTRACTOR SHALL REMOVE COMPLETE RAMP AND RESTORE AREA TO ORIGINAL CONDITION.
2. MINIMUM COVER SHALL BE AS SPECIFIED IN THE CROSSING AGREEMENT.
3. LENGTH OF RAMP TO VARY IN ACCORDANCE WITH CROSSING ANGLE.
4. RAMP WIDTH SHALL BE MINIMIZED AS MUCH AS POSSIBLE, AND SHALL NOT ENCROACH BOUNDARIES SET IN THE CROSSING AGREEMENT.
5. RAMP SIDE SLOPE SHALL NOT BE STEEPER THAN 1V:4H.
6. RAMP SHALL BE COMPACTED, AND HAVE A CROSS FALL TO ENSURE THAT WATER WILL NOT POND ON THE RAMP CAUSING EXCESSIVE RUTTING.
7. A GEOTEXTILE OR LINER BARRIER TO BE INSTALLED AT THE DISCRETION OF THE ENBRIDGE FIELD REPRESENTATIVE.
8. REFER TO DRAWING A-1.8-43105 FOR FRENCH VERSION.
REFERE AU DESSIN A-1.8-43105 POUR VERSION FRANCAISE.

A-1.8-43105-0 TYPICAL DESIGN DETAIL				
REFERENCE DRAWINGS				
2	FRENCH TRANSLATION REFERENCE AS PER IDR 583	2019 JAN 11 MM	BLB	ENB
1	AS BUILT INTERNAL DRAFTING ID 304	20 MAR 18 BLB	GB	ENBRIDGE
REV NO.	REVISION DESCRIPTION	DATE BY	CHK	APPR.
COPYRIGHT © THIS DRAWING IS THE PROPERTY OF ENBRIDGE AND SHALL NOT BE REPRODUCED EITHER IN WHOLE OR IN PART WITHOUT PRIOR WRITTEN CONSENT OF ENBRIDGE.				
TYPICAL DESIGN DETAIL TYPICAL TEMPORARY CROSSING RAMP WITH EARTH				
BY: GB	CHK: GG	ENG.:	ENB APPR:	
DATE: 14 FEB 18	SCALE: NTS	STATUS: AS BUILT		
DWG. NO.: A-1.8-42872-0				REV. NO.: 2



1. ON COMPLETION OF CONSTRUCTION, CONTRACTOR SHALL REMOVE COMPLETE RAMP AND RESTORE AREA TO ORIGINAL CONDITION.
2. MINIMUM COVER SHALL BE AS SPECIFIED IN THE CROSSING AGREEMENT.
3. LENGTH OF RAMP TO VARY IN ACCORDANCE WITH CROSSING ANGLE.
4. RAMP WIDTH SHALL BE MINIMIZED AS MUCH AS POSSIBLE, AND SHALL NOT ENCROACH BOUNDARIES SET IN THE CROSSING AGREEMENT.
5. RAMP SIDE SLOPE SHALL NOT BE STEEPER THAN 1V:4H.
6. RAMP SHALL BE COMPACTED, AND HAVE A CROSS FALL TO ENSURE THAT WATER WILL NOT POND ON THE RAMP CAUSING EXCESSIVE RUTTING.
7. A GEOTEXTILE OR LINER BARRIER TO BE INSTALLED DURING SPRING, SUMMER AND FALL SEASONS.
8. RIG MATS SHALL BE STAGGERED OR PLACED IN A PERPENDICULAR ORIENTATION FROM THE PREVIOUS LAYER SO THAT THE EDGES DO NOT LINE UP.
9. ALL DIMENSIONS ARE IN mm UNLESS OTHERWISE NOTED.
10. SNOW OR ICE CAN BE USED AT THE DISCRETION OF THE ENBRIDGE FIELD REPRESENTATIVE.
11. REFER TO DRAWING A-1.8-43106 FOR FRENCH VERSION.
REFERE AU DESSIN A-1.8-43106 POUR VERSION FRANCAISE.

A-1.8-43106-0 TYPICAL DESIGN DETAIL			
REFERENCE DRAWINGS			
3	AS BUILT DR. IDR 743	20 JUN 19 MF	AE ENB
2	FRENCH TRANSLATION REFERENCE AS PER IDR 583	11 JAN 19 MM	BLB ENB
1	AS BUILT INTERNAL DRAFTING ID 304	20 MAR 18 BLB	GB ENBRIDGE
REV. NO.	REVISION DESCRIPTION	DATE BY	CHK APPR.
COPYRIGHT IS THIS DRAWING IS THE PROPERTY OF ENBRIDGE AND SHALL NOT BE REPRODUCED EITHER IN WHOLE OR IN PART WITHOUT PRIOR WRITTEN CONSENT OF ENBRIDGE.			
ENBRIDGE			
TYPICAL DESIGN DETAIL TYPICAL TEMPORARY CROSSING RAMP WITH RIG MATS			
BY: GB	CHK: GG	ENG.:	ENB APPR:
DATE: 14 FEB 18	SCALE: NTS	STATUS: AS BUILT	
DWG. NO.:	A-1.8-42873-0		REV. NO.:
			3



April 29, 2022

BY E-MAIL ONLY (Bashar.Al-Hussaini@mississauga.ca)

Bashar Al-Hussaini
Planner, Planning Programs
City of Mississauga
300 City Centre Drive
Mississauga, Ontario L5B 3C1

Re: City-wide Major Transit Station Area Policies, 2022

Thank you for the opportunity to comment on the City of Mississauga's draft Major Transit Station Area (MTSA) Policy framework. We appreciate being engaged throughout the City's Official Plan (OP) review process.

Toronto and Region Conservation Authority (TRCA) staff understand that to meet new provincial policy requirements for MTSA's, Peel Region has proposed a planning framework for MTSA's and identified potential MTSA (and Protected MTSA - "PMTSA") locations, boundaries, and minimum density targets, in collaboration with local municipalities. We further understand that the proposed Regional Official Plan (ROP) is awaiting adoption by Regional Council and that the City will move forward with local Official Plan (OP) amendments to implement their own MTSA planning framework upon approval of the ROP. As such, the proposed boundaries and targets associated with each individual (P)MTSA, and examples of mapping may be subject to change and refinement.

TRCA provides our comments as a public commenting body under the *Planning Act*, with delegated responsibility for representing the provincial interest in natural hazards (Section 3.1 of the Provincial Policy Statement - PPS), a watershed-based resource management agency, and a service provider in accordance with our Memorandums of Understanding with Peel Region and the City of Mississauga. In these roles, and as stated in the A Made-in-Ontario Environment Plan, Conservation Authorities (CAs) work in collaboration with municipalities and stakeholders to protect people and property from flooding and other natural hazards, and to conserve natural resources.

COMMENTS

TRCA staff generally support the proposed MTSA policy framework, subject to additional policy language needed to ensure no new development and intensification will be permitted within natural hazards or be inconsistent with the City's current Special Policy Area policies and designations. We appreciate inclusion of specific policies (5.7.2.4 f) and g)) recognizing the need to protect and mitigate against natural hazards and to protect, restore and enhance natural heritage systems and water resource systems within MTSA's, however, we offer the following detailed comments to further assist in the City's implementation of provincial and regional policies and alignment with TRCA's Living City Policies.

Natural Hazards and Features within (P)MTSA's

It appears that areas within our jurisdiction containing natural features and hazards not intended for development or intensification have been excluded from the sample PMTSA boundaries. TRCA staff appreciate these exclusions, however, we note that similar net-outs of natural hazards may not have been applied within delineated MTSA's

identified on the City's [MTSA Dashboard](#). As per our comments below, the draft MTSA specific policies do not explicitly mention that natural hazards, including flood, erosion and slope instability are unsuitable and should not be planned for significant development. We recognize that the Province's growth management framework directs growth to locations with existing or planned higher-order transit. However, we note that it also specifies that, in the event of conflict, policies that provide more protection to the natural environment and human health prevail. It is therefore critical that the City's MTSA policy framework meet the criteria for addressing natural hazard management, and natural heritage and water resource protection. As elaborated in our comments below, the City's MTSA policies should explicitly mention that natural hazards, including flood, erosion and slope instability are unsuitable and should not be planned for intensification.

Policies 5.7.2.4 f) and g)

TRCA staff appreciate that these policies likely aim to ensure that development is protected from and helps mitigate risk from natural hazards and does not negatively impact natural systems. However, as written, the policies don't appropriately convey this intent or align with the overarching objective of 5.7.2.4. It is unclear how development would contribute to the protection and mitigation of natural hazards and protection, restoration, and enhancement of natural systems. Development is protected *from* natural hazards by virtue of being located outside them. Similarly, it is unclear how development would identify, protect, restore, and enhance natural systems while promoting natural linkages. Typically, natural systems are identified for protection *from* development and enhanced or restored because of existing or anticipated development and site alteration.

Pursuant to sections 2.1 and 3.1 of the PPS and corresponding (draft) ROP policies, and in accordance with the City's draft OP policies (e.g., Natural Heritage System, Natural Hazard Lands), the MTSA policies should specify that natural hazards, including flooding, erosion and slope instability, are unsuitable and should not be planned for intensification, and that development and site alteration should not occur within natural heritage and water resource systems. Accordingly, we suggest that the subject policies be revised and/or included as new subsections of 5.7.2 (Land Uses) to assist with ease of interpretation.

Dundas Connects Master Plan

Under the master plan, a Bus Rapid Transit would traverse the Dundas Street corridor east to west through the flood plain of the Etobicoke Creek valley corridor and the provincially approved Applewood, Dixie and Etobicoke Creek Special Policy Areas (SPAs). City staff have engaged TRCA staff in the ongoing studies necessary for flood plain remediation and provincial approval to update the SPA boundaries, policies, and designations based on the most up to date flood plain hazard mapping. As this work is still in progress, the planned densities and heights identified in the City's sample PMTSA maps (and [MTSA Dashboard](#)) should be referenced as contingent on the approval and implementation of flood plain remediation works and provincial SPA approvals by the Ministry of Municipal Affairs and Housing and the Ministry of Northern Development, Mines and Natural Resources and Forestry.

We note that certain areas of MTSA's along Dundas Street proposed for intensification are adjacent to valley corridors. We caution that the results of studies informing SPA updates could limit future development and intensification opportunities in these areas as lands may be required for channel widening. For instance, the valley corridor along Little Etobicoke Creek where a minimum 60-metre wide natural corridor is being proposed / recommended to accommodate future predicted flows as a result of flood remediation works, and to restore and enhance the natural heritage system.

Active Transportation

Finally, we support the City's intent to plan for future connections between transit and active transportation, including improved access to an interconnected, multi-modal street network that includes walking, cycling and

the use of transit (e.g., 5.7.1.5 d) and 5.7.7.2). TRCA staff recommend that new trail connections or connections to natural spaces also be included within the MTSA policy framework to support active transportation and increase direct connectivity and regional linkages to multi-modal transit. We encourage City staff to build upon [TRCA's Trails Strategy](#) by incorporating it into revised MTSA policies (e.g. 5.7.7 – Connectivity) and/or a City-wide strategy. TRCA's Trail Strategy was developed in partnership with community groups and municipalities to provide for a publicly accessible regional trail network connecting our growing communities to nature, to culture, and to each other, contributing to active living and enhancing our conservation legacy. Trail alignments forming part of this regional system traverse sections of the sample/draft MTSA boundaries within Mississauga (E.g., along Eastgate Parkway in Tomken and Tahoe up through to Eglinton Ave E. between Etobicoke and Spectrum). We would welcome the opportunity to work with the City and Region to create connections with TRCA's trail systems.

We trust these comments to be of assistance. Should you have any questions or require any clarifications, please contact the undersigned by email at jeff.thompson@trca.ca or by telephone at (416) 661-6600 ext. 6469.

Sincerely,



Jeff Thompson, M.Pl, MCIP, RPP
Senior Planner, Policy
Encl.

cc:

Gail Anderson, Principal Planner, Regional Planning and Growth Management, Region of Peel
Dorothy Di Berto, Senior Manager Planning, Credit Valley Conservation Authority
Adam Miller, Associate Director, Development Planning and Permits, TRCA
Mary-Ann Burns, Senior Manager, Provincial and Regional Policy, TRCA
Jason Wagler, Senior Manager, Development Planning and Permits, TRCA
Colleen Bonner, Senior Planner, Development Planning and Permits, TRCA