

June 21, 2022

**By E-Mail to *city.clerk@mississauga.ca***

City Council  
City of Mississauga  
300 City Centre Drive  
Mississauga, Ontario  
L5B 3C1

**Attention: City Clerk**

Dear Sir/Madam:

**Re: Proposed Development Charge By-law and Parkland Conveyance By-law  
City Council Meeting on June 22, 2022 - Agenda Items: 17.1 and 17.5**

We are counsel to Edenshaw Developments Limited (“Edenshaw”).

Through related corporations, Edenshaw is the owner of various lands within the City of Mississauga and currently has active development applications/approvals at various stages in the approvals process.

Edenshaw Fairview Developments Limited is the owner of 1 Fairview Road East, which is approved for a 32-storey mixed-use building under Zoning By-law No. 0160-2021 (City File No. OZ 20-001 W4), but subject to a holding symbol that will need to be removed by amendment to the by-law, and is the subject of a current site plan application (City File No. SP 21-121 W4).

Edenshaw Elizabeth Developments Limited is the owner of 42-46 Park Street East and 23 Elizabeth Street North, which are subject to applications to permit a 22-storey residential building that has been appealed to the Ontario Land Tribunal (City File Nos. OZ 20-006 W1 and SP 22-12 W1).

Edenshaw Queen Developments Limited is the owner of 88 Park Street East (also referred to as 0 Park Street East), which is subject to applications to permit a mixed-use development consisting of buildings of 40- and 42-storeys (City File No. OZ 22-10 W1).

Edenshaw has reviewed the draft Development Charge By-law and the draft Parkland Conveyance By-law, to be considered by City Council at its meeting on June 22, 2022, and wishes to express its concerns with these proposed by-laws. In particular, Edenshaw

opposes the lack of appropriate “transition” provisions in the proposed by-laws to recognize development applications already in process or having already achieved some level of approval.

In making decisions in relation to its various development applications, Edenshaw relied upon the applicable charges in effect at the relevant times. Meanwhile, both the proposed Development Charge By-law and Parkland Conveyance By-law would substantially increase the charges payable for high-density residential or mixed-use development, even accounting for any proposed phase-in provisions. The financial impact of the draft by-laws on the proposed developments is even greater when one considers other increasing development-related charges and other significant cost increases for development in recent times.

Given the provincial and municipal planning policy objectives of increasing densities in areas well served by existing infrastructure, including public transit, as well as the goal of reducing the cost of housing, the City must ensure that its development-related fees and charges are reasonable and do not act as a disincentive to develop high-density residential development in these areas, or otherwise significantly increase housing costs.

It is also worth noting that due to the Council recess resulting from the upcoming municipal elections, there will be fewer opportunities to have a holding symbol removed, potentially limiting the ability to ultimately obtain a building permit in a timely manner and mitigate the impact of increasing development-related charges.

As a result, Edenshaw requests that Council amend the draft by-laws to include appropriate transition provisions that would allow development proposals subject to applications already in process, or subject to some existing level of approval, to proceed to development within a reasonable period of time based on the charges imposed under the existing by-laws.

Kindly ensure that we receive notice of City Council’s decisions and the passage of any by-laws in relation to the above agenda items.

Yours truly,  
**DAVIES HOWE LLP**



Mark R. Flowers  
Professional Corporation

copy: Client