

Reimagining the Mall - Official Plan Amendment Implementation - Response to Comments Summary

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| 1 | <p>Glenn Schnarr & Associates on behalf of Sheridan Retail Inc. (Dunpar Developments), owner of Sheridan Mall, letters dated January 31, 2020 and April 14, 2020</p> <p><i>Met with Dunpar Developments and Glenn Schnarr & Associates on February 27, 2020 to discuss</i></p> | <p>(1) Request to present their Redevelopment Concept Plan to the City before a new OPA is implemented. Dunpar wants to work with the City on establishing a future redevelopment proposal that respects existing long term tenant arrangements.</p> <p>(2) Concerned with 20% affordable housing request. This must be paired with incentives through partnerships with the City and Region to make this economically viable. An OPA is premature until this is in place. Also, the City does not have the necessary inclusionary zoning (IZ) policies in place to require a percentage of affordable housing -</p> | <p>(1) Staff met with the landowner and their planning consultant to review very preliminary sketches of a possible redevelopment scenario. The proposed OPA policies will give guidance to future redevelopment on the subject lands.</p> <p>(2) In May 2020, the City retained land economists urbanMetrics to update their preliminary financial analysis originally undertaken in May 2019 as part of the Directions Report for Reimagining the Mall. This new analysis used updated market data and specifically looked at whether the mall sites could be redeveloped in a way that is financially viable with the proposed affordable housing policies in place. It found that this is not feasible using the assumptions in the draft policy (i.e. 10% low income affordable units and 10% middle income affordable units) unless the low income affordable units are subsidized by non-profit funding</p> | <p>(1) No action required</p> <p>(2) That the draft OPA be modified to require 10% affordable units for middle income households and encourage low income units subject to non-profit housing funding subsidies. The 10% affordable unit requirement would only apply to the Central Erin Mills, Meadowvale, South Common and Sheridan Nodes</p> |

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| | | <p>and even if it did, the subject lands would not qualify as they are outside of a Major Transit Station Area (MTSA) per the provincial requirement. Also, the City has not undertaken a financial analysis to demonstrate that the proposed affordable housing policies are financially viable as part of site redevelopment.</p> | <p>sources. Their analysis does show that a policy requiring 10% of units to be affordable for middle income households is viable for redeveloped mall sites in the Central Erin Mills, Meadowvale, South Common and Sheridan Nodes. With the preliminary assumptions used, Rockwood Mall (Rathwood-Applewood Community Node) continues to present a challenge if redevelopment were to be pursued today even if affordable units were reduced to a 10% provision. Westwood Square in the Malton Community Node was not assessed, as it was not part of the original Directions Report evaluation and never included a potential redevelopment Demonstration Plan. Also, the land economics within the Malton Community Node would likely present challenges to providing affordable housing. With these results, the affordable housing policy within the OPA has been revised to encourage the provision of low income affordable units in all Nodes subject to the availability of</p> | |

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| | | | <p>subsidized funding sources and to require 10% affordable units for middle income households developed within the Central Erin Mills, Meadowvale, South Common and Sheridan Nodes. This is consistent with Mississauga's Housing Strategy, which prioritizes affordability for middle income households and is part of providing a range of housing options for all residents. This is a fundamental component of good community planning. The draft policies differ from IZ in several ways, including the incorporation of flexibility. The draft policy recognizes that low income units are subject to securing funding from non-profit housing partners and so does not prescribe a minimum amount of units but encourages its provision. Also, the definition of "affordable" is less onerous than the provincial definition and focuses on middle-income households. The policy now allows for land dedications in lieu of direct construction of affordable units. The City may also consider a Community</p> | |

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| | | | Benefit Charge (currently Section 37 density bonusing) as part of an affordable housing contribution. | |
| 2 | <p>Glenn Schnarr & Associates on behalf of Morguard Corporation, owner of lands at the northwest corner of Battleford Road and Glen Erin Drive, letter dated January 31, 2020</p> <p><i>Met with Morguard and Glenn Schnarr & Associates on March 6, 2020 to discuss</i></p> | <p>(1) New Rental Housing Protection By-law creates a barrier to the expansion of purpose built rental on sites such as this were rental currently exists.</p> <p>(2) Concerned that 20% affordable housing requirement makes it even more difficult to provide new rental units on this site. It is requested that the OPA be deferred until further dialogue with the City on what incentives or By-law changes can be implemented.</p> <p>(3) The draft policies require a mix of ownership and rental housing. Morguard only builds rental units so this is problematic.</p> <p>(4) Concerned that “mid-rise” building definition</p> | <p>(1) This By-law is in force and acts to preserve affordable rental units in the City. It is a separate from the proposed affordable housing policies. Notwithstanding, there is merit in counting any existing affordable rental units that are retained under the provisions of this By-law towards the 20% affordable housing requirement.</p> <p>(2) See response to Comment 1, Issue (2).</p> <p>(3) The intent was not to require a mix of ownership and rental housing on every parcel that redevelops. Wording clarification needed.</p> <p>(4) Built form for the subject lands is not limited to “mid-rise” by the draft policies. Permitted heights are up to 15 storeys for the mall-based Community Nodes, including Meadowvale.</p> | <p>(1) That the affordable housing wording be adjusted to count any existing affordable rental units that are retained under the provisions of the Rental Housing Protection By-law towards the 10% affordable housing requirement</p> <p>(2) No further action required; See Comment 1, Issue (2)</p> <p>(3) That the affordable housing wording be adjusted to reflect a required mix of affordable rental and ownership housing across the Node</p> <p>(4) No action required</p> |

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| | | will prohibit tall buildings on the site. | | |
| 3 | <p>Glenn Schnarr & Associates on behalf of Daniels HR Corporation, owner of 2475 Eglinton Avenue West, northeast quadrant of Eglinton Avenue West and Erin Mills Parkway, letter dated January 31, 2020</p> <p><i>Met with Daniels HR Corporation via videoconference meeting on March 17, 2020 to discuss</i></p> | <p>(1) Site-specific development applications (OZ 16/003 W11) have recently achieved a negotiated LPAT settlement that is currently not recognized by the proposed OPA policies. It is requested that City staff meet to review the proposed OPA and have further discussions.</p> <p>March 17, 2020 teleconference meeting confirmed that the agent requests site-specific policies that would exempt the subject lands from any of the Reimagining the Mall policies.</p> | <p>(1) The development applications and associated OPA/zoning by-law settlement provisions resulting from the LPAT process pre-dated the proposed policies. As such, the landowner should not be subject to the proposed site-specific development requirements (e.g. density, affordable housing requirements) and related policy provisions.</p> | <p>(1) That a Special Site provision be included for the subject lands that would permit an FSI of up to 3.4 and not require adherence to the proposed new policies of Section 13.2</p> |
| 4 | <p>SmartCentres, owner of South Common Centre, letter dated February 3, 2020</p> | <p>(1) Concerned with 20% affordable housing requirement.</p> <p>(2) More discussion requested regarding the proposed 2.25 FSI and building height maximum of 15 storeys. Landowner</p> | <p>(1) See Comment 1, Issue (2).</p> <p>(2) The height and FSI standards are consistent with the consultant's recommendations outlined in the May 2019 Directions Report. Additional height and density would not be consistent with the City Structure hierarchy mandated by the Official Plan.</p> | <p>(1) No further action required; See Comment 1, Issue (2)</p> <p>(2) No action required</p> <p>(3) No action required</p> <p>(4) No action required</p> |

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| | <i>Met with SmartCentres on February 26, 2020 to discuss</i> | <p>believes more height and density could still achieve the vision of the Community Node.</p> <p>(3) Council should consider various incentives (e.g. bonus provisions, tax incentives) to retain a community node focus.</p> <p>(4) Verbal comment during staff's meeting with SmartCentres where they indicated concern with a policy requiring a grocery store.</p> | <p>The landowner has not identified a specific concern or conflict with how these standards may relate to a future redevelopment proposal for their lands.</p> <p>(3) A financial analysis of the Demonstration Plans indicates the feasibility of a mixed use redevelopment proposals for the mall-based Nodes, including South Common Centre. The City is working with the Region on possible incentives to support the development of affordable housing within the City.</p> <p>(4) See response to Comment 5, Issue (6) which adds some flexibility to this proposed policy.</p> | |
| 5 | <p>Armstrong Planning, on behalf of Choice Properties REIT, owner of lands at 2915, 2901-2925 Eglinton Avenue West, letter dated February 20, 2020</p> <p><i>Met with Choice Properties and Armstrong Planning on March 11, 2020 to discuss</i></p> | <p>(1) Concerned that the 200 to 300 ppj target would result in an onerous density requirement from any single landowner.</p> <p>(2) Concerned with a 3 storey minimum height requirement and suggests it be a minimum of 2 storeys for solely commercial buildings.</p> <p>(3) While supportive of</p> | <p>(1) PPJ targets will be applied across the Node and not on individual properties.</p> <p>(2) After further consideration, including discussions with the landowner and their planning consultant, staff recognize the challenge of providing minimum 3 storey buildings in the case where there are only non-residential uses (i.e. retail, service commercial, office, institutional).</p> <p>(3) Each development will need to</p> | <p>(1) No action required</p> <p>(2) That the draft OPA be modified for all the mall-based nodes to permit minimum two storey heights where buildings do not contain a residential component</p> <p>(3) That the draft OPA be modified to clarify</p> |

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| | | <p>20% affordable housing, concerned that choice would have to make up any affordable housing deficiency of adjacent Node properties on their own lands.</p> <p>(4) Concerned that the OPA does not allow for some buildings to be entirely residential and so requests commercial uses only on buildings fronting arterial and collector roads.</p> <p>(5) Concerned with the strength of language around requiring the maintenance of commercial floor space and suggests wording changes accordingly.</p> <p>(6) Requests grocery store use to be maintained anywhere in the Central Erin Mills Node.</p> <p>(7) Concerned with the requirement of public roads that would delineate blocks suggests private roads</p> | <p>achieve the minimum 10% target, per suggested percentage revisions.</p> <p>(4) Lands with Residential designations already exist within the mall-based Nodes and these may have residential buildings. Lands designated Mixed Use are to have a mixture of residential and non-residential uses within the same building to ensure that the planned function of the Nodes are maintained. Notwithstanding, it is recommend that wording be clarified to indicate that retail and service commercial uses are required on at least a portion of the ground floor (as opposed to the entirety of the ground floor, which may not be reasonable and desirable in all cases).</p> <p>(5) The proposed wording allows flexibility of commercial floor area provision if it can be demonstrated that the Node's planned function will be maintained.</p> <p>(6) Flexibility as to the location of a grocery store is appropriate as long as there is one within the Node.</p> | <p>that each development site is responsible to provide the minimum 10% affordable housing requirement in the relevant Nodes</p> <p>(4) That the draft OPA be modified to clarify that retail and service commercial uses are required on at least a portion of the ground floor of buildings on lands designated Mixed Use</p> <p>(5) No action required</p> <p>(6) That the draft OPA be modified to clarify that a grocery store use needs to be maintained within the Node and not necessarily on the existing property</p> <p>(7) No action required</p> |

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| | | as an alternative. | (7) It is important to require a strong public road network and only permit a limited number of private roads under specified conditions. | |
| 6 | <p>Weston Consulting on behalf of The Children’s Centre South Common Court Inc. (Rotherglen Montessori School) the owners of 3553 South Common Court, letter dated February 21, 2020</p> <p><i>Met with Weston Consulting via videoconference meeting held on March 18, 2020 to discuss</i></p> | <p>(1) Requests “mid-rise” and Mixed Use land use permissions, similar to South Common Centre.</p> <p>(2) Concerned with the 20% affordable housing target and requests background studies to justify.</p> <p>(3) Concerned with the requirement to maintain the same amount of commercial space given the declining demand for retail space.</p> <p>(4) The draft OPA does not contain any final indication of where height and density is to be located.</p> | <p>(1) The planning consultant is referencing the Demonstration Plan, which is not a land use plan but a depiction of a potential redevelopment scenario prepared as part of the background studies. Also, the subject lands are currently designated “Residential Medium Density” which permits “low-rise apartment buildings” in Nodes. The maximum height within the Node is now proposed to be 15 storeys with a maximum FSI of 2.25. Upon further review, it is appropriate to refine the policy wording to indicate that lands designated “Residential Medium Density” may redevelop at low rise and “mid-rise” heights (subject to maximum FSI provisions).</p> <p>(2) See Comment 1, Issue (2) above.</p> <p>(3) See Comment 5, Issue (5) above.</p> <p>(4) The Reimagining the Mall project sets a policy framework for redevelopment of the mall-based</p> | <p>(1) That the draft OPA be modified to clarify that low rise and mid-rise apartment buildings would be permitted on lands designated “Residential Medium Density”</p> <p>(2) No further action required; See Comment 1, Issue (2)</p> <p>(3) No action required</p> <p>(4) No action required</p> |

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| | | | nodes including height and density parameters for the Node. Staff are not recommending the imposition of site-specific development master plans on the nodes. | |
| 7 | <p>Building Industry and Land Development Association (BILD) e-mail of March 24, 2020 and letter dated May 1, 2020</p> <p><i>Met with BILD representatives via teleconference call held on April 2, 2020 to discuss</i></p> | (1) BILD members have expressed concern that the proposed affordable housing policies are too aggressive. Because they require an affordable housing minimum unit percentage, it is their position that the policies mimic an Inclusionary Zoning (IZ) By-law without following the provincially-mandated process for IZ. | (1) See response to Comment 1, Issue (2). | (1) No further action required; See Comment 1, Issue (2) |
| 8 | Goodmans LLP on behalf of 4005 Hickory Drive Ltd. related to 4005 Hickory Drive, letter dated June 23, 2020. | <p>(1) Concerned that there is a lack of transitional policies should their development applications (OZ 17/006 W3; SP 18/039 W3) be approved by LPAT.</p> <p>(2) Concerned with the proposed affordable</p> | <p>(1) As this will be a contested hearing, the outcome is uncertain. Should the applications be approved by LPAT, it would be appropriate to exempt the subject lands from the provisions of the proposed OPA.</p> <p>(2) See response to Comment 1,</p> | (1) That should the subject development proposal be approved by LPAT, an appropriate Special Site provision be added to not require adherence to the proposed new |

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| | | <p>housing policies, which it sees as equivalent to Inclusionary Zoning (IZ) due to the requirement of a certain number of affordable units. Notwithstanding, this concern can be addressed through the inclusion of appropriate transition policies.</p> | <p>Issue (2).</p> | <p>policies of Section 13.2</p> <p>(2) No further action required; See Comment 1, Issue (2)</p> |
| 9 | Staff Comments | <p>(1) Consider including as a policy on-site land contribution to the Region or other non-profit housing provider towards the construction affordable housing units as an acceptable “in-kind” affordable housing contribution.</p> <p>(2) Consider a minimum development size threshold related to the number of proposed units to apply the affordable housing requirements.</p> <p>(3) Consider identifying office and institutional uses as part of the</p> | <p>(1) This is an appropriate mechanism to achieve affordable housing, particularly targeting low income households.</p> <p>(2) This is appropriate, given that staff are currently requesting affordable housing for developments proposing at least residential 50 units.</p> <p>(3) It is appropriate to include this recognition for the Central Erin Mills Major Node, as MOP identifies the importance of employment uses as part of the planned function for Major Nodes.</p> <p>(4) These changes are relatively minor and speak to the importance of considering transit in the redevelopment of the mall-based Nodes.</p> | <p>(1) That the draft OPA be modified to permit “in-kind” land contributions toward affordable housing targeting mainly low income households. Parcel size should be sufficient and configuration appropriate to facilitate proposed number of housing units</p> <p>(2) That the draft OPA wording related to minimum affordable housing provisions be modified to only apply to</p> |

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| | | <p>continued planned function of Nodes.</p> <p>(4) Consider a number of wording changes to clarify policies related to transit planning.</p> <p>(5) Consider replacing the term “affordable housing” with another term such as “below-market housing”, as this OPA proposes a definition of that differs from the provincial definition of “affordable”, including separate definitions for “low-income” and “middle-income” households.</p> <p>(6) Consider flexibility on all buildings being required to have street level retail and service commercial uses.</p> <p>(7) Consider removing requirement to demonstrate maintenance of the planned commercial function during redevelopment.</p> | <p>(5) This is appropriate and will add clarity given that a modified definition of “affordable” is being used in the draft OPA.</p> <p>(6) It is appropriate to clarify that not every building façade must have retail and service commercial uses on the ground floor. This is not necessarily viable or appropriate in every situation. The Demonstration Plans depict some buildings without this condition. These activating uses should be integrated into redevelopment plans where appropriate.</p> <p>(7) It is appropriate to use more flexible wording, as it may be unreasonable to expect landowners to demonstrate this during the entire construction period.</p> | <p>development applications proposing at least 50 residential units</p> <p>(3) That the draft OPA wording be modified to recognize office and institutional uses as part of the Major Node planned function</p> <p>(4) That the draft OPA wording be modified by making a number of wording changes related to transit planning</p> <p>(5) That the draft OPA wording be modified to replace the word “affordable” with “below-market”</p> <p>(6) That the draft OPA wording be modified to require street level retail and service commercial</p> |

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| | | | | <p>uses along streets only where appropriate</p> <p>(7) That the draft OPA wording be modified to remove the requirement to demonstrate maintenance of planned commercial function during redevelopment</p> |
| 10 | Councillor Saito (Ward 9) | <p>(1) We should have a policy that ensures safe pedestrian access and that the developer obtains relief on parking standards if they provide safe pedestrian access.</p> <p>(2) Appreciated proposed distance separation policies that promote skyview and distance separation.</p> <p>(3) Questioned whether the “mid-rise” definition would apply City-wide or be specific to the mall-based node policies.</p> | <p>(1) It is appropriate to highlight the importance of ensuring safe pedestrian access in the policy wording. Parking rate reductions will be considered on a site-specific basis and in conjunction with Parking Utilization Studies.</p> <p>(2) Staff are considering appropriate distance separation minimums for tall buildings to be included in a future City-wide built form guide.</p> <p>(3) After further review, it is appropriate to limit the definition of “mid-rise” to the mall-based node policies. The Official Plan Review will consider whether to add this as a City-wide definition.</p> | <p>(1) That the draft OPA wording be modified by adding the requirement for a Pedestrian Network Plan to elements that should be included as part of Development Master Plans</p> <p>(2) No action required</p> <p>(3) That the draft OPA wording be modified to apply the “mid-rise” definition to only the mall-based Nodes</p> |

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| 11 | Councillor Fonseca (Ward 3) | <p>(1) Wording should say that development master plans are required instead of may be required.</p> <p>(2) Direct access to roads are important, including Regional Roads such as Dixie Road. Achieving these connections has been difficult in the past.</p> <p>(3) Dixie Road's role as a major truck route for the movement of goods needs to be protected.</p> | <p>(1) It is appropriate that Development Master Plans be required for all of the mall sites given their size and strategic importance to their Nodes. They may not be required for minor redevelopment on small sites.</p> <p>(2) Road connectivity is emphasized and will be further examined more broadly as part of the Official Plan Review.</p> <p>(3) Section 8.7 of the Official Plan is focused on goods movement as a priority within the transportation system. This section will be examined as part of the Official Plan Review that is underway.</p> | <p>(1) That the draft OPA wording be modified to require Development Master Plans for all of the mall sites within the mall-based Nodes</p> <p>(2) No action required</p> <p>(3) No action required</p> |
| 12 | Councillor Ras (Ward 2) | <p>(1) Consider recognizing that libraries are City assets.</p> | <p>(1) The draft policies state that community facilities (which includes libraries) are to be maintained.</p> | <p>(1) No action required</p> |