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Director  
Planning and Growth Division  
Ministry of Municipal Affairs and Housing  
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October 4, 2024

Re: ERO Number 019-9065 – Comments from the City of Mississauga

Dear Anna MacDonald,

Thank you for the opportunity to review and comment on the Environmental Registry of Ontario (“ERO”) posting 019-9065 for feedback on the transition of land use planning matters that facilitates the Provincial Planning Statement 2024 (PPS 2024).

Mississauga supports efforts to review employment lands for additional opportunities to build new homes. In fact, over the past two years, Mississauga has supported the removal of approximately 270 hectares (667 acres) of commercial lands from employment areas after comprehensive study. It is estimated that these lands could conservatively facilitate the building of 60,000 additional homes

### **Transitional Matters to Implement PPS, 2024**

The City of Mississauga kindly requests that one or more of the following options be adopted through a Minister’s regulation made under s. 3(6.1), preferably, or through future legislation or Orders in Council.

1. A municipally initiated official plan amendment (OPA) to permit lawfully established uses adopted pursuant to s. 1 (1.1) and (1.2) of the Planning Act are not subject to appeal. This would allow municipalities to transition smoothly without the burden of extensive appeals.
2. Appeals of a municipally initiated OPA for lawfully established uses filed at the OLT are dismissed. If a s. 3(6.1) regulation or legislative amendments come into effect after the appeals are filed, the regulation or legislative amendments provide that any such appeals are retroactively dismiss.
3. As an alternative to items #1 or 2, the transitional regulation provides that lawfully established uses are in effect upon adoption of a municipally initiated OPA authorized by s. 1(1.1) of the Act, notwithstanding appeals. The OPA would be operative on the day adopted, and any appeals would be processed in parallel. Any changes resulting from OLT orders are

deemed to have been made on the date the by-law was adopted and applied retroactively. The *Planning Act* has used this approach in other sections, including ss. 37(11) and (26).

The following draft provisions are proposed:

**Commencement of policies**

- (1) Official Plan policies adopted pursuant to subsection 1 (1.1) of the Act come into force on the day they are adopted or the day specified in the by-law, whichever is later.

**When Tribunal ordered repeals, amendments effective**

- (2) The repeal or amendment of Official Plan policies referenced in subsection (1) by the Tribunal, or by the council of a municipality pursuant to an order of the Tribunal, is deemed to have come into force on the day the policies came into force.

4. Planning Act s. 1 (1.1) and (1.2) and PPS 2024, 2.8 Employment, 2.8.2

Amend Orders in Council 1098/2024 and 1099/2024 or alternatively, rescind and replace them with a later effective date. The purpose is to delay the Employment Area policies for a period of two years to allow an opportunity for planning authorities to bring required amendments forward to official plans and zoning by-laws that are consistent and do not conflict with the updated definition of “area of employment.”

Zoning by-laws are applicable law and may allow uses that are contrary to new provincial policies. For example, excluded commercial and institutional uses would continue to be permitted until the Zoning by-law is amended to be consistent with the updated definition. This is a time intensive process as multiple zones may need to be amended.

**Refinement to PPS 2024 Policies**

The City further requests that the PPS 2024 policies be refined as follows:

1. PPS 2024, Employment, 2.8.2.3.b

Mississauga’s population and employment growth and development has been planned with public service facilities that include essential emergency services. For example, fire stations, police stations and paramedic facilities are essential emergency services needed for health and safety incidents. These facilities are located throughout the city, including employment areas, to allow for appropriate response times (e.g., industrial fires, explosions).

Public service facilities should be permitted in areas of employment and request that public service facility uses be deleted as a prohibited use in employment areas.

2. PPS 2024, 2.8 Employment, 2.8.1 Supporting a Modern Economy

Mississauga is supportive of a modern economy. It’s success as the second largest employment node in Canada is attributed to its supply of serviced and flexible employment lands. Our diversified economic base continues to attract major businesses and investment to employment areas.

Mississauga has MTSAs in employment areas. PPS 2024 policies cannot be implemented consistently, to the extent that they direct major office and major institutional development to Major Transit Station Areas (MTSAs) and Strategic Growth Areas (SGAs) where frequent transit service is available. However, these uses are prohibited in employment areas.

To avoid creating barriers to investment and policies speaking at cross purposes, we strongly encourage the Province to consider clarifying that major office and major institutional uses are permitted in areas of employment where they are within an MTSA or SGA.

### 3. PPS 2024, Employment, 2.8.2 Employment Areas

Mississauga has a mix of employment uses that support a range of economic activities and the wider surrounding area. Mississauga's integration of primary employment uses (e.g., manufacturing, warehousing) with commercial and institutional uses have supported employment areas as places for businesses to operate and invest. The airport operating area comprises a large portion of Mississauga's employment area with numerous hotels, restaurants, and convention centres to service the operations, employees and patrons of the country's largest airport (i.e. pilots, travellers). Residential uses are not permitted in this area due to potential aviation conflicts.

Office, retail and institutional uses are located throughout the city's Employment Areas (Attachment - Figure 1), representing 30% of businesses and 33% of all jobs (i.e. over 115,000 jobs). It would not be in the Province's economic interest to create uncertainty on the ability of these businesses to continue to operate at their current location or expand their operations. Commercial uses have also historically created an important buffer between heavier employment uses and nearby residential neighbourhoods.

It is suggested the definition of "area of employment" and "employment area" be amended to allow for commercial and institutional uses that support the broader employment area and not only those associated with a primary employment use.

Thank you for your consideration.

Regards,

A handwritten signature in black ink, appearing to read "Jason Bevan". The signature is fluid and cursive, with the first name "Jason" and last name "Bevan" clearly distinguishable.

Jason Bevan, MCIP RPP  
Director, City Planning Strategies

Attachment – Figure 1

Attachment – Figure 1

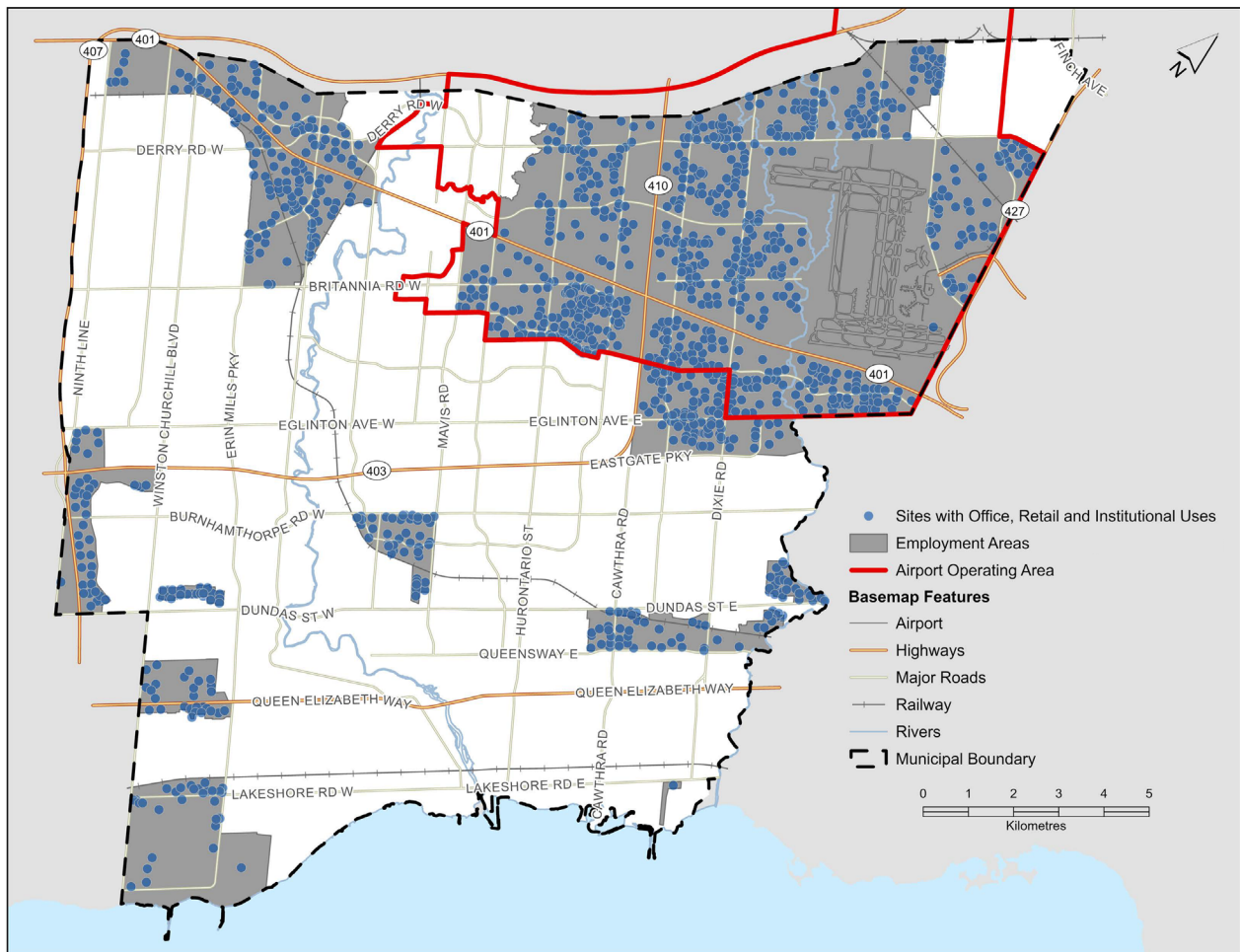


Figure 1: Approximate location of commercial, institutional and public service facility uses in Mississauga's Employment Areas