

June 24, 2025

Hon. Rob Flack, Minister of Municipal Affairs and Housing
Ministry of Municipal Affairs and Housing
17th Floor, 777 Bay Street
Toronto, ON M7A 2J3

**RE: Mississauga Official Plan 2051
ERO Number 025-0468
Ministry Reference Number 21-OP-249936**

Dear Minister Flack:

We are counsel to 945324 Ontario Inc. (“Kaneff”), the owner of the lands municipally known as 2170 Sherobee Road in the City of Mississauga (the “Subject Lands”). The Subject Lands are currently occupied by a 19-storey residential building, with opportunity for intensification, and located within the North Service Protected Major Transit Station Area (“PMTSA”), as shown on the attached map.

We are writing to request that Schedule 8L of the Mississauga Official Plan 2051 (“MOP 2051”) be amended to allow a building height of at least 35 storeys for the Subject Lands.

Background

Over the course of the official plan review process that led to the adoption of MOP 2051 by Council for the City of Mississauga (the “City”), we submitted two comment letters outlining the requested amendment and supporting planning analysis to the City. Both letters are attached hereto.

On January 21, 2025, we filed a first letter with the project manager and project lead for the official plan review. Our letter set out Kaneff’s concerns that the Subject Lands had been excluded from the areas identified for height increases in Schedule 8L of the MOP 2051. Regrettably, staff recommended in its Recommendation Report for Adoption dated March 5, 2025 (the “Recommendation Report”) that the MOP 2051 be submitted to City Council for adoption without having addressed Kaneff’s concerns.

We therefore filed a second letter with the City’s Planning and Development Committee on March 21, 2025, ahead of Council’s meeting to adopt the MOP 2051, to re-iterate Kaneff’s opposition to the exclusion of the Subject Lands from the areas identified for increased height limits in Schedule 8L.

On April 16, 2025, Council adopted the MOP 2051. Unfortunately, Kaneff's concerns remained unaddressed.

Comments on Height Increases in PMTSAs

Kaneff requests that Schedule 8L of the MOP 2051 be amended to include the Subject Lands in the areas identified for increased building heights for the reasons outlined in our January 21, 2025 and March 21, 2025 letters to the City.

Increasing the permitted height applicable to the Subject Lands from 25 to at least 35 storeys will optimally support the achievement of minimum density targets and is consistent with the objectives of the *Provincial Planning Statement, 2024* ("PPS 2024"). According to Table 11-1 of the MOP 2051, the North Service PMTSA is planned for a minimum density of 300 people and jobs per hectare. Whether this minimum density target is achievable with the current height limit of 25 storeys is unclear. In any event, the PPS 2024 specifies that "[d]ensity targets represent minimum standards and planning authorities are encouraged to go beyond these minimum targets". Increasing the permitted building height for the Subject Lands will both facilitate the fulfillment of the density target and further the PPS 2024's objectives of optimizing the use of existing and planned infrastructure and public service facilities and of increasing housing supply.

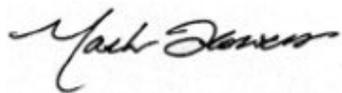
Kaneff's requested amendment to Schedule 8L is also consistent with provisions of the MOP 2051 and PPS 2024 pertaining to height and density. The Subject Lands are located within the Hospital Growth Centre and are in close proximity to Queensway station, which is planned to be built at the intersection of Hurontario Street and Queensway. Increasing the permitted building height for the Subject Lands will therefore be consistent with policy 13.6.3.1 of the MOP 2051, which provides that "[t]he greatest building heights" within the Hospital Growth Centre are to be located "at the transit stop at Hurontario Street and Queensway". Kaneff's request also aligns with the PPS 2024, which mandates planning authorities to "prioritiz[e] intensification... in proximity to transit".

Additionally, permitting a building height of at least 35 storeys on the Subject Lands will be in keeping with the City's built form transition policies. As explained in our submissions to the City, the Subject Lands are located immediately to the south of an area of the Queensway PMTSA identified for a height maximum increase to 35 storeys. Consequently, a building height significantly greater than 25 storeys will "be compatible with site conditions, the surrounding context and surrounding landscape of the existing or planned area" as prescribed by policy 8.6.2.1 of the MOP 2051.

Kaneff therefore requests that the permitted height for the Subject Lands be increased from 25 storeys to at least 35 storeys, under Schedule 8L of the MOP 2051.

We thank you in advance for your consideration of our request. Please do not hesitate to contact us for further information or clarification.

Yours truly,
DAVIES HOWE LLP



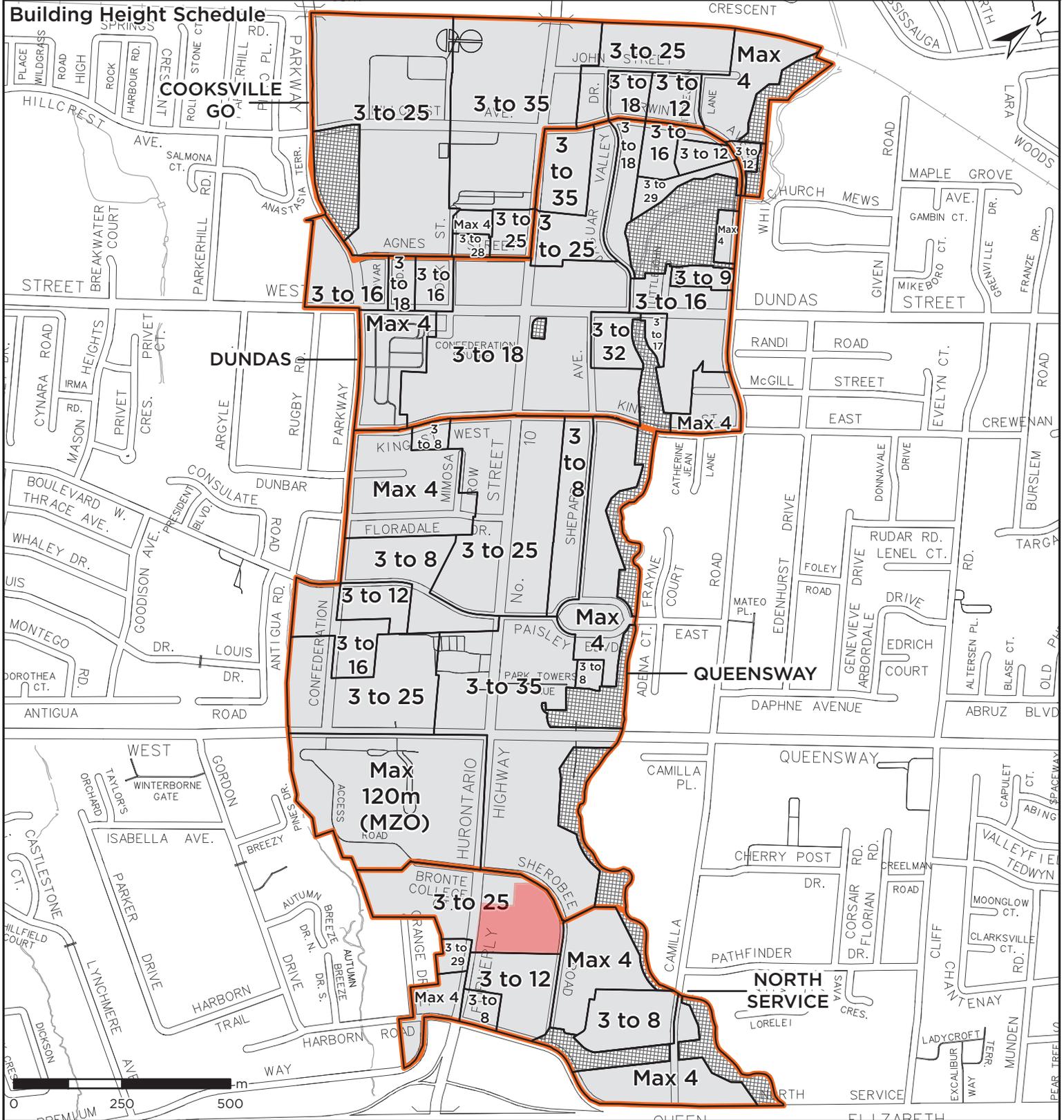
Mark R. Flowers
Professional Corporation

MRF:lc
encl.: as above

copy: Client

PROTECTED MAJOR TRANSIT STATION AREA (PMTSA)

SCHEDULE 8I (HURONTARIO LRT - COOKSVILLE GO, DUNDAS, QUEENSWAY, NORTH SERVICE)



- PMTSA Boundary (Height Map)
- Min # to Max # (In Storeys); NoHeight
- Height Not Applicable
- Subject to Special Policy Area

2170 Sherobee Road

1- Variations/ranges in building height are subject to the policies of the Local Area Plan/Character Area



Produced by Geospatial Solutions

March 21, 2025

By E-Mail Only to application.info@mississauga.ca

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

Dear Sir/Madam:

**Re: Proposed Mississauga Official Plan 2051 (“MOP 2051”)
2170 Sherobee Road, Mississauga
PDC Meeting on March 24, 2025 – Agenda Item 6.5**

We are counsel to 945324 Ontario Inc. (“Kaneff”), the owner of the lands municipally known as 2170 Sherobee Road (the “Subject Lands”) in the City of Mississauga (the “City”). The Subject Lands are currently occupied by a 19-storey residential building and located within the North Service Protected Major Transit Station Area (“PMTSA”).

We are writing to express Kaneff’s opposition to City staff’s recommendation that the proposed MOP 2051 be submitted to Council for adoption without further revisions.

Background

On January 21, 2025, we filed a letter with the Project Manager and Project Lead for the Official Plan Review process in response to the draft of the MOP 2051 released in January 2025 and the MOP 2051 Status Update report dated November 27, 2024. Our letter, attached hereto, outlined Kaneff’s concerns that the Subject Lands had been excluded from the areas identified for maximum height increases in Schedule 8L of the proposed MOP 2051.

Regrettably, staff has recommended in its Recommendation Report for Adoption dated March 5, 2025 (the “Recommendation Report”) that the latest version of the MOP 2051 attached as Appendices 1 and 2 to the Recommendation Report be submitted to Council for approval without having addressed Kaneff’s concerns.

Comments on Maximum Height Increases in PMTSAs

For the reasons outlined in our January 21, 2025 letter, Kaneff continues to object to the exclusion of the Subject Lands from the areas identified for increased height limits in Schedule 8L of the proposed MOP 2051.

We have reviewed staff's response to our letter in Appendix 4 to the Recommendation Report and wish to highlight that the reasons staff provide for denying Kaneff's request were already addressed in our letter.

In particular, staff responded that "higher heights" were allowed "mostly for areas adjacent to higher order transit corridors or stations." In fact, the Subject Lands are located in close proximity to Queensway station, planned to be built at the intersection of Hurontario Street and Queensway. Under s. 13.6.3.1 of the MOP 2051, "[t]he greatest building heights" are to be located "at the transit stop at Hurontario Street and Queensway".

Staff also states that "the height within the subject site is appropriate as ... the height allows proper transition to the adjacent neighbourhood." In response, we reiterate that the Subject Lands are immediately adjacent to an area of the Queensway PMTSA identified for a height maximum increase to 35 storeys. Consequently, permitting a building height significantly greater than 25 storeys on the Subject Land would be in keeping with the planned built form context and in conformity with the City's built form transition policies.

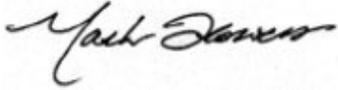
Finally, staff wrote in their response that "the height within the subject site is appropriate as the PMTSA still meets the minimum density required". However, staff did not provide any supporting details to substantiate this claim. Moreover, even if this is true, we emphasize that staff is referring to the achievement of a "minimum" density target. Simply because one may be able to achieve a minimum density does not justify failing to consider additional building height, particularly where the *Provincial Planning Statement 2024* directs that growth and development be focused in such areas and that resulting densities are to "optimize" existing and planned infrastructure and public service facilities. For these reasons, Kaneff maintains its concern that the current height limit for the Subject Lands does not optimally support the achievement of the minimum density target of 300 people and jobs per hectare for the North Service PMTSA.

Kaneff therefore requests that the maximum height for the Subject Lands be increased from 25 storeys to 35 storeys, or more, under the MOP 2051.

We thank you in advance for your consideration of our comments. In the meantime, we would welcome the opportunity to discuss Kaneff's request with you.

Kindly ensure that we receive notice of any decision made by Committee and/or Council in respect of this matter.

Yours truly,
DAVIES HOWE LLP



Mark R. Flowers
Professional Corporation

MRF:lc
encl.: as above

copy: Client

January 21, 2025

By E-Mail Only to official.plan@mississauga.ca

Ben Phillips, Project Manager and Amina Menkad, Project Lead
Mississauga Official Plan Review
Mississauga Civic Centre
300 City Centre Drive, 2nd Floor
Mississauga, ON L5B 3C1

Dear Sir/Madam:

**Re: Proposed Mississauga Official Plan 2051 (“MOP 2051”)
2170 Sherobee Road, Mississauga**

We are counsel to 945324 Ontario Inc. (“Kaneff”), the owner of the lands municipally known as 2170 Sherobee Road in the City of Mississauga (the “Subject Lands”). The Subject Lands are currently occupied by a 19-storey residential building and is located within the North Service Protected Major Transit Station Area (“PMTSA”).

We have reviewed proposed changes to the MOP 2051 as outlined in the draft MOP 2051 released last week and the Public Meeting MOP 2051 Status Update report of the Commissioner of Planning & Building, dated November 27, 2024 (the “Staff Report”), which was considered by the City’s Planning and Development Committee at its meeting on December 9, 2024. In particular, we have reviewed staff’s recommendations for increased building heights on certain lands within PMTSAs and are writing to provide Kaneff’s comments.

Kaneff has significant concerns that the Subject Lands have been excluded from the areas identified for height maximum increases, as detailed in Schedule 8L of the draft MOP 2051 and Appendix 1 of the Staff Report.

The current maximum height applicable to the Subject Lands does not optimally support the achievement of minimum density targets set out in the MOP 2051. The North Service PMTSA is planned for a minimum density of 300 people and jobs per hectare. However, the MOP 2051 proposes no height increases within the North Service PMTSA. Current PMTSA height limits, which restrict development on the Subject Lands to 25 storeys, do not achieve the objectives of optimizing the use of existing and planned infrastructure and public service facilities, including public transit, and increasing housing supply.

The exclusion of the Subject Lands from the areas identified for increased building heights is particularly unjustified given that approvals for heights exceeding 25 storeys have been granted for properties in PMTSAs with lower minimum density targets than the North Service PMTSA.

Policies that do not optimize the use of existing and planned infrastructure and/or may hinder the achievement of minimum density targets are inconsistent with provisions of the 2024 Provincial Planning Statement (“PPS 2024”). The height restrictions that apply to the Subject Lands are also inconsistent with provisions of the PPS 2024 that require planning authorities to permit and facilitate intensification “in proximity to transit, including corridors”. The Subject Lands fronts onto Hurontario Street, which is identified as an “Intensification Corridor”. Further intensification of the Subject Lands through increased building heights would therefore align with the provisions of the PPS 2024.

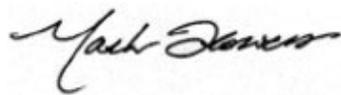
Furthermore, the Subject Lands are immediately adjacent to an area of the Queensway PMTSA identified for a height maximum increase to 35 storeys. Consequently, permitting a building height significantly greater than 25 storeys on the Subject Land would be in keeping with the planned built form context and in conformity with the City’s built form transition policies.

Kaneff therefore requests that the maximum height for the Subject Lands be increased from 25 storeys to 35 storeys, or more, under the MOP 2051.

We thank you in advance for your consideration of our comments and look forward to seeing Kaneff’s request reflected in the next draft of the MOP 2051. In the meantime, we would welcome the opportunity to discuss Kaneff’s request with you.

Kindly ensure that we are included on the notification list for the Official Plan Review and that we receive notice of any future public meeting(s).

Yours truly,
DAVIES HOWE LLP



Mark R. Flowers
Professional Corporation

MRF:lc

copy: Client