

July 25, 2025

GSAI File: Various

In Memoriam, Founding Partner:
Glen Schnarr

(Via Email)

Hon, Robert Flack
Ministry of Municipal Affairs and Housing
777 Bay Street
Toronto, ON M7A 2J3

**RE: Mississauga Official Plan 2051
Various Clients and Properties, City of Mississauga
ERO No.: ERO #0250465**

Glen Schnarr and Associates Inc. (GSAI) is pleased to provide this Comment Letter in relation to the Council adopted Mississauga Official Plan 2051, currently under review by the Ministry of Municipal Affairs and Housing (ERO No. 0250465, Ministry Reference # 21-OP-249936).

As background, GSAI participated in the Mississauga Official Plan Review initiative ('OP Review initiative') and provided various Comment Letters identifying areas of concern with the draft Mississauga Official Plan 2051 released for public review. As further outlined in these previous Comment Letters, provided in Appendix II, the concerns raised predominantly related to the City's proposed City Structure, growth management framework, housing framework, built form-based policy framework and refinements to definitions. Despite these concerns being raised to both City Staff and Council members, it is our opinion that concerns were not addressed in the iteration of the Mississauga Official Plan 2051 adopted by Mississauga Council in April 2025.

For brevity, as the Ministry reviews the Mississauga Official Plan 2051, we request that the following revisions be made:

- Refine the City Structure to include those peripheral lands, located within 50 metres of Strategic Growth Areas as defined by Provincial policy, so that these lands with recognized development potential are not restricted to Neighbourhood policy requirements;
- Remove Policies 4.2.2, 4.2.3 and 4.2.4 as these policies require performance standards that exceed what is required by the Ontario Building Code and conflicts with the recent clarification provided by this Ministry and by Bill 17;
- Remove onerous housing requirements under Policies 5.2.3, 5.2.4 and 14.2.1.5.1;
- Remove the onerous built form-based policy framework so that land use permissions are

not built-form based;

- Encourage a flexible policy framework to guide how development occurs that enables further guidance to be provided through implementing Zoning By-law regulations, Secondary Plans, Area Specific Plans, Master Plans and Built Form Standards;
- Eliminate the restrictive built form-based, site development policy framework provided by Policies 8.6.1, 8.2.9.c, 8.6.2.5 and 8.6.2.6, together with the policy definitions for low, mid- and high-rise built forms;
- Remove retail replacement policy requirements provided by various policies, including but not limited to Policy 10.2.6.3;
- Provide a policy mechanism to facilitate additional height to be considered, in appropriate locations, such as within and immediately adjacent to delineated Protected Major Transit Station Areas;
- Streamline the policy framework to ensure it is understandable to community members and easily implementable;
- Revise the structure of the Official Plan so that a consistent framework is provided, in accordance with evolving Provincial direction to streamline and regularize Official Plans across the province; and,
- Refine the Implementation policies to eliminate onerous submission materials to support a complete development application, consistent with the evolving Provincial direction established by Bill 17.

Further rationale to the above requests is provided in Appendix I of this Letter. In summary, we remain concerned with the Mississauga Official Plan 2051 and request that the Ministry consider our proposed modifications. Thank you for the opportunity to provide these comments. We wish to be informed of any future decision made.

Yours very truly,
GLEN SCHNARR & ASSOCIATES INC.



Appendix I / Rationale for Requested Modifications

As stated above, we have reviewed the Mississauga Official Plan 2051, as adopted by Mississauga Council in April 2025 and offer the following comments and rationale for the above-noted requested modifications.

Chapter 3, Directing New Development

Chapter 3 provides the City's growth management policy framework. Chapter 3.3 contains a revised City Structure framework. This is furthered by Schedule 1, City Structure. More specifically, there have been refinements and re-classification of certain components of the City Structure. This includes the previous Uptown Major Node being elevated to the Growth Centre classification, the previous Downtown Character Area being redefined to exclude the Downtown Core area and the remainder of the Fairview, Cooksville and Hospital communities being categorized as Growth Centre lands and the removal of the Major Node and Community Node categorizations in favour of a new category referred to as Growth Nodes. Additionally, the previous category of Intensification Areas has been removed. Based on the above and the policies as drafted in Chapter 3.3 to respond to the re-classifications, we generally support revisions to the City Structure to reflect current trends and policy objectives. We note and would respectively repeat our previously documented comments seeking revisions to the Central Erin Mills Growth Node, Dixie-Dundas Growth Node and Port Credit Growth Node boundaries to enable contextually appropriate development to occur on lands that are in proximity to transit services and would support Provincial and local objectives.

Chapter 4, Sustaining the Natural Environment

Chapter 4, Sustaining the Natural Environment provides the refined policy framework for how lands and resources are to be managed. This includes policies which relate to how development is to respond to a changing climate. Of particular concern are Policy 4.2.2, Policy 4.2.3 and Policy 4.2.4 which state:

'4.2.2. Mississauga will support the planning and design of new communities and buildings that aim to achieve near net zero emissions.'

'4.2.3. Mississauga will support efforts to protect against the impacts of the changing climate with adaptation measures that make the city more resilient to climate change impacts including extreme weather events.'

'4.2.4. Mississauga will build communities that are compact, low-carbon, mixed-use and transit-supportive. The City will promote renewable energy, energy conservation and efficient design. These initiatives will reduce greenhouse gases and help the city achieve its emission targets.'

Collectively, the above-noted policies provide policy strength for sustainability initiatives and measures, such as the recently adopted City of Mississauga Green Development Standards. The policies as drafted are unnecessary and in practice, serve to encourage Staff to require onerous sustainability measures that endeavour to require development proponents to implement features and technologies that are well above and beyond what is required by the Ontario Building Code. This practice is contrary to the authority granted municipalities by the Ontario Building Code Act and is contrary to the recent clarification provided by Bill 17. We request that the above-noted policies be removed so that the policy requirements are clear and a municipality's authority is not extended beyond what is permissible.

Chapter 4 also presents a framework to guide how public parkland dedication is to occur. This includes Policy 4.3.5.5 which states:

- '4.3.5.5. The minimum park provision will be equivalent to:*
- a. 12 percent of the total area of the Growth Centre and Growth Nodes; or*
 - b. 1.2 hectares per 1,000 population in all other residential parts of the City.'*

In our opinion, the above-noted policy should be revised to reference the minimum parkland dedication requirements established by the Planning Act, rather than the above which is derived from the City of Mississauga's Parks Master Plan.

Chapter 5, Housing Choices and Affordable Homes

Chapter 5 provides the refined City-wide housing policy framework. We remain concerned with the housing policy framework as adopted. Of particular concern are Policies 5.2.3, 5.2.4, 14.2.1.5.1 which state:

- '5.2.3. To achieve a balanced mix of unit types and sizes, and support the creation of housing suitable for families, development containing more than 50 new residential units is encouraged to include 50 percent of a mix of 2-bedroom units and 3-bedroom units. The City may reduce these percentages where development is providing:*
- a. social housing or other publicly funded housing; or*
 - b. additional needs housing such as residences owned and operated by a post-secondary institution or a health care institution or other entities to house students, patients, employees or people with specific needs.'*

- '5.2.4. The City will plan for an appropriate range and mix of housing options and densities that contributes to achieving the following housing targets:*

1. *30 percent of all new housing units are affordable housing (rental and ownership), of which 50 percent of all affordable housing units are encouraged to be affordable to low-income households. The majority of units affordable to low-income households are anticipated to be rental and will include units such as subsidized housing, supportive housing, emergency shelter beds, and transitional housing; and*
2. *25 percent of all new housing units are rental tenure. These rental units include private rental market and non-market units.'*

'14.2.1.5.1. Residential development permitted by any land use designation will include:

- a. *A minimum 10 percent housing units that are below-market for each development application proposing more than 50 residential units. This will be comprised of units targeted for a range of middle income households. Approximately half of these units will be larger, family-sized dwellings containing more than one bedroom'*

The above-noted policies are concerning and require revision. With regard to Policy 5.2.3, the policy as adopted is overly restrictive. While the word “encouraged” is appreciated in the policy, in practice, the policy has and will continue to be used to demand development proponents include a significant proportion of larger, family-sized units. The desire for 50% of all residential units to include 2-bedroom and 3-bedroom unit configurations will challenge the delivery of much needed housing units in appropriate location to satisfy Provincial policy objectives and local Housing Pledges, in the midst of a Provincial housing crisis. Furthermore, the policy objective of encouraging 50% of all new units to be family-sized is contrary to Provincial objectives which do not specify this and is also a significant departure from the objectives of neighbouring jurisdictions such as the City of Toronto, where 25% of units are encouraged to be larger family-sized units through the City of Toronto’s Growing Up Urban Design Guidelines. We request that the Ministry remove Policy 5.2.3.

Policy 5.2.4 is also concerning and should be removed. In accordance with in-effect legislation, a municipality cannot require affordable housing units to be provided unless a property is located within an Inclusionary Zoning Area. Policy 5.2.4 requires revision to ensure compliance with legislation and change from a policy requirement that affordable housing units be provided regardless of a Site’s location. We also highlight that Peel Region Housing and the non-profit sector will and should continue to play a pivotal role in the delivery of affordable housing. This is reaffirmed in the City of Mississauga’s Partners in Homebuilding: Mayor’s Housing Task Force Report.

A similar concern to above is raised by Policy 14.2.1.5.1 which applies to lands within the Central Erin Mills Growth Node. We highlight that this policy was developed as a component of a previous planning study referred to the Reimagining the Mall initiative. The Reimagining the Mall

initiative was a design-oriented planning study undertaken by a consultant Project Team and culminated in a policy framework which established policies to guide how six mall-based areas across the City of Mississauga could redevelop over the long-term into compact, vibrant, complete communities. However, a core component of this mall-based policy framework were housing policies. The above-noted policy was subject to a previous Ontario Land Tribunal Decision, dated September 6, 2023 (see Appendix II of this Letter) where the Tribunal found that this policy and other similar policies were tantamount to Inclusionary Zoning and were also ultra vires to the authority conferred to the City of Mississauga under the Planning Act. As stated in paragraph 149 of this Decision, the above-noted policy was not approved. We are deeply concerned that a Tribunal refusal of this policy continues to be included in the Council adopted policy framework. We require that Policy 14.2.1.15.1 be deleted.

Inclusionary Zoning

As adopted, the Mississauga Official Plan 2051 has incorporated the City's Inclusionary Zoning policy framework in accordance with the Council adopted Official Plan Amendment policies and Inclusionary Zoning By-law. However, this policy framework does not reflect the reduced affordable unit term of 25 years and the reduced maximum set aside rate in accordance with Bill 23 and as implemented by a recent Regulation released concurrent to Bill 17. We request that the Inclusionary Zoning policy framework be updated to reflect the changes enacted by recent legislation and Provincial priorities.

Chapter 8, Well Designed Healthy Communities

Chapter 8 provides a refined built form and site development policy framework for lands across the City. More specifically, Chapter 8 and in fact policies throughout the Mississauga Official Plan 2051 have been developed as a transition to a built-form based policy framework. This relates in instances where policy is overly restrictive and instances where urban design guidance has been elevated to policy. We are concerned with this transition to a built form-based policy framework and highlight concerns with Policies 8.2.9.c), 8.6.2.5 and Policy 8.6.2.6. Policy 8.2.9.c) states that the City's vision will be supported by site development that demonstrates context sensitivity and transition. A similar concern is shared with Policy 8.6.2.5 which states that transition can be achieved through the use of setbacks, stepping down of buildings, angular plane, separation distances and other means. Lastly, Policy 8.6.2.6 states that developments will provide a transition in building height and form between Strategic Growth Areas and adjacent Neighbourhoods with lower heights. These policies are overly restrictive and should be removed. Additionally, we do not support the move to a built form-based policy framework. Chapter 8 as a whole is unnecessarily lengthy, overly restrictive and will hinder development from occurring where development ought to occur.

Chapter 8.6.1 also contains a policy definition for how low-rise, mid-rise and high-rise buildings are to be interpreted. We oppose this policy definition and request that the definitions and characterizations of built form typologies be removed.

Overall, the above-noted policies are concerning. As the policies suggest, there are various ways of ensuring appropriate transition can be provided. There is also ambiguity given transition is not a defined term. In our opinion, elevating appropriate transition and the ways that transition, including the use of angular plane provisions, can be achieved from urban design guidance to policy is alarming. This concern is furthered by Urban Design Guidelines, which are applied as companion documents to the Official Plan, which suggest that a development application conform to a 45 degree angular plane, without specifying how the angular plane is to be applied. Any policy or guidance requiring that an angular plane be applied as a means to control transition is overly restrictive, misleading and contrary to good practice. In our opinion, any angular plane requirement should be removed from the Official Plan. Angular planes are one of many urban design guidance tools that can and should remain in the area-specific Built Form Standards, if at all. Elevating such urban design guidance to policy will restrict development and efficient, high-quality built forms where development ought to be directed in the midst of a Provincial housing crisis. Furthermore, the inclusion of angular planes and other urban design guidance in policy is contrary to Provincial objectives and contrary to the findings of the City of Mississauga Mayor's Task Force. Finally, the continued inclusion of such policies to require transition be provided in such manners will frustrate expeditious development approvals and will also result in costly, inefficient built forms. As an example, the requirement that built forms respect an angular plane results in substantially reduced gross floor area, a reduced number of dwelling units to be accommodated, and terraced built forms that are costly to construct and significantly less energy efficient than would otherwise be the case. We also highlight that given the above implications, neighbouring jurisdictions such as the City of Toronto have recently updated their Built Form or Urban Design Guidelines to eliminate the practice of angular planes. Based on the above, we request that the built form policies be modified to eliminate the practice and policy requirement that will lead to inefficient and costly built forms to be mandated.

8.4.5, Open Space and Amenity Areas

Section 8.4.5 provides a policy framework regarding open space and amenity areas. While we support the policy direction to recognize that open spaces of varying forms can complement and support public spaces such as public parks, we remain concerned with Policy 8.4.5.2 which states:

'8.4.5.2. Privately Owned Public Spaces (POPS) contribute to the public realm. These spaces, where appropriate, will be designed and maintained in accordance with the standards established by the City, and remain open and universally accessible to public. POPS provided to the City will:

- a) provide a public easement over the extent of the POPS; and*

- b) *the size, extent, design, configuration and program of POPS will be done in consultation and to the satisfaction of the City.'*

The above-noted policy is concerning and requires revision. To begin, a policy requirement that a Privately Owned, Publicly Accessible Space (POPS) be designed in accordance with a City Standard is unnecessarily restrictive and does not afford sufficient flexibility to achieve contextually/locationally appropriate open space design. The location, design and ultimate programming of a POPS space within a development can vary depending on site-specific contexts and circumstances. Requiring that a POPS space be designed in accordance with a City Standard does not adequately reflect the above-noted variations and take into consideration any necessary flexibility in designing open spaces. Requiring that a POPS space be designed in accordance with a City Standard does not adequately reflect the above-noted variation and flexibility. Furthermore, there is no current City Standard for POPS. Therefore, a policy requirement that a POPS be designed to conform to a City Standard that does not yet exist is premature. We request that this policy be modified to remove reference to a City Standard. This would enable the provision of POPS to remain flexible and continue to support the provision of open spaces of varying sizes to support the needs of future and existing residents.

Chapter 10, Land Use Designations

Revisions are contemplated to the City's land use designation framework. More specifically, the Mississauga Official Plan contemplates an evolution towards a built form-based policy framework. As stated above, we are concerned with this evolution and the policy framework. In our opinion, the proposed land use framework continues to result in instances where properties are to be re-designated and this is akin to down designations which would result in the loss of as-of-right development permissions and ultimately result in more privately initiated, site specific Official Plan Amendments which could have otherwise been avoided.

Furthermore, the proposed land use designations do not provide the same flexibility as the current in-effect policy framework. We are also concerned with the introduction of further maximum height limitations, based on a property's built form-based land use. For example, Policy 10.2.5.10 which states that lands designated Residential High-Rise will permit maximum height as specified in the Character Area or Special Site provisions, or if heights are not specified, then the maximum allowable height will not be greater than the tallest existing building on the property. This policy is overly restrictive, contrary to good practice and should be removed. Existing buildings and their associated site conditions were approved under different planning regimes, applicable building/design requirements, as well as market conditions and should not necessarily be used as a benchmark with a current reality. We request the Ministry to revise this policy framework so that appropriate height can be determined based on evaluation criteria and should be informed by urban design guidelines and review through the development approvals process to determine

contextually appropriate heights (and massing). Adoption of this approach as suggested would present a more flexible and opportunistic approach and responds to optimizing or leveraging otherwise underutilized sites across the City and allows the flexibility on a site by site, or area by area basis to respond to the City structure.

Mixed Use Lands

we support components of the adopted Mixed Use policy framework as policy such as Policy 10.2.6.2 is a significant improvement over the current in-effect policy framework which requires a site to be re-designated when the principal use is to be residential. We support the adopted policy framework which no longer specifies that a re-designation is required to an applicable residential category when the predominant use is residential on an existing Mixed Use designation site.

In addition to the above, we are concerned with Policies 10.2.6.3 and 10.2.6.4. More specifically, Policy 10.2.6.3 states that on lands designated Mixed Use, a minimum amount of non-residential replacement Gross Floor Area (GFA) will be required based on the greater of two (2) scenarios. As presented, Policy 10.2.6.3 requires replacement of existing retail and service commercial space; however, the quantum of replacement space to be required is unclear. Regardless, the policy is also unnecessarily restrictive, will hinder development and does not adequately reflect the post-pandemic market. Requiring a development to provide the same or even a significant percentage of existing non-residential space to be replaced in a development does not adequately capture market trends, does not enable a property owner to ‘right-size’ the space to avoid significant void areas and does not reflect best practices. In our opinion, this policy is premature given there is in-effect Provincial direction to encourage underutilized plazas to redevelop to support the provision of housing. It is also premature given the City of Mississauga has stated it is currently undertaking a Retail Market Study to better understand where retail may be needed and the type of retail that is needed to support community needs. Rather than requiring a minimum percentage of existing non-residential space to remain, we request a policy mechanism that would permit an appropriate amount of ground-level non-residential space based on the findings of an independent Market Impact Assessment, to the satisfaction of Staff. This policy mechanism would enable sufficient flexibility as development of underutilized retail plazas come forward and a way for development to proceed in a manner that supports Provincial and local objectives.

We are similarly concerned with Policy 10.2.6.5 which states that where lands are within a Strategic Growth Area, are designated Mixed Use and contain substantial office uses, development will be required to maintain the existing GFA of these uses. As outlined above, we request that this policy be removed or alternatively, be revised to permit a reduction in office GFA. A policy which would permit a reduction in existing office GFA is important given the post-pandemic trends, a significant vacancy rate for office and would enable property owners to right-size the non-residential areas included in a development proposal to reflect market trends, end-user needs

and to ensure the non-residential areas can be occupied to support complete community objectives and vibrant public realms. If left as written today, the overwhelming metric could result in dangerous and unappealing retail space vacancies in new projects due to oversupply and effectively render valuable street frontage spaces unused, tarnishing the City's vision for active street frontages and animated streetscapes.

Lastly, Policy 10.2.6.4 which states that maximum building heights specified by Character Area, Protected Major Transit Station Area or Special Site policies for designated Mixed Use lands may be exceeded by a maximum of 3 storeys in order to accommodate non-residential uses above the ground floor is restrictive and should be made more flexible.

Mixed Use Limited

We support the introduction of the Mixed Use Limited land use designation. In our opinion, this designation will support development objectives and will facilitate residential or mixed-use development to occur in appropriate locations, provided the evaluation criteria established by Policy 10.2.7.4 is sufficiently satisfied. . In fact, we would suggest that the City consider applying the Mixed-Use Limited designation on other lands in the City which are located within areas in transition such as the Clarkson GO Station lands. We also highlight that the evaluation criteria of Policy 10.2.7.4 is consistent with Provincial objectives as outlined in the Provincial Planning Statement, 2024.

Chapter 11, Transit Communities

Revisions are contemplated to the City's transit and Major Transit Station Area policy framework. Specifically, Chapter 11 provides clear, succinct policy direction for how transit-supportive development is to be achieved and how lands within delineated Major Transit Station Areas are to develop over the long-term. Overall, we support the policy framework established by Chapter 11 and support the inclusion of refined policies. These refined policies include Policies 11.3.3.2 which permits additional height within a delineated Protected Major Transit Station Area (PMTSA) subject to satisfying evaluation criteria and Policy 11.3.3.4 which permits compact, higher density development on lands that are adjacent to the approved limits of a PMTSA, subject to evaluation criteria being satisfied. We do however believe the permission for additional height within a delineated PMTSA does not go far enough and should be revised to enable a policy mechanism that would allow greater height permissions to be reviewed and considered more easily. As adopted, Policy 11.3.3.2 requires a development proponent seeking additional height within a PMTSA to justify the additional height based on evaluation criteria. To be clear, we are supportive of the policy framework that specifies that compact, dense development can and should be directed to PMTSAs. We are however not supportive of the restrictive height permission policies that apply to lands within a delineated PMTSA. As adopted, Schedule 8 of the Official Plan states that lands within a PMTSA are assigned a maximum permissible height. Of relevance, Schedule 8 identifies at times,

significant deviations in permitted maximum heights between lands within a PMTSA. As an example, within the PMTSA surrounding the lands south of King Street, along the Hurontario Street corridor, lands adjacent to Hurontario Street have height permissions of up to 25 heights, while lands immediately adjacent but not fronting Hurontario Street have height permissions of up to 8 storeys. In our opinion, instances where there is such a magnitude of deviation between maximum permitted heights is not good planning. Instead, we believe that maximum permitted heights should permit height deviations of 2 to 3 storeys across all lands within a PMTSA. This would avoid significant deviations within a single PMTSA and would enable appropriate and desirable transition to the surrounding context to occur. A final concern with Policy 11.3.3.2 is the requirement that a proponent demonstrate that full funding is secured for planned higher order transit improvements. The onus for a property owner is demonstrate funding status of Provincial transit improvements is inappropriate. We remain of the opinion that more flexible policy, such as that established by Policy 11.3.3.4 is required for lands within PMTSA lands.

Chapter 13, Growth Centres

As stated above, revisions are contemplated to the former structure of Growth Centre lands. More specifically, the draft Chapter 13 policy framework applies to specified lands throughout the Uptown, Fairview, Cooksville and Hospital communities of the City. The Downtown Core is now subject to area-specific policies outlined in Chapter 12 of the Mississauga Official Plan 2051. We support the transition as this will further support the delivery of compact, transit-supportive development in appropriate locations.

We are however, concerned with instances throughout Chapter 13 where urban design guidelines have been elevated to policy. This includes policies (such as Policy 13.3.3.1) relating to tower separation distances and the use of 45 degree angular planes to facilitate appropriate transition. In our opinion, these policy inclusions are unnecessarily restrictive and should be removed. Rather, the inclusion of urban design guidance within area-specific Built Form Guidelines has been successfully implemented without issue for decades. A removal of urban design guidance from policy will also serve to further implement the recommendations arising from the Mayor's Task Force.

Lastly, we are concerned with Policy 13.1.1.5 and Policy 13.1.2.5. Policy 13.1.1.5 states that developments within Growth Centres that would serve to significantly reduce the number of jobs that can be accommodated on the site will not be supported. In our opinion, this policy as drafted is unnecessarily restrictive, will serve to impede development in appropriate locations and does not adequately reflect pre-pandemic work from home patterns as well as post-pandemic or current market realities. The policy should be removed. Similarly, Policy 13.1.2.5 states that redevelopment of existing office buildings that results in the loss of office floor space will not be permitted, unless the same amount of office space is retained or replaced. As stated above, a policy

that requires 1:1 replacement is unnecessarily restrictive, is contrary to current trends and best practices and should be removed.

Chapter 14, Growth Nodes

As highlighted above, revisions are contemplated to the former City Structure. More specifically, we understand that the former distinction between Major Node and Community Node areas of the City have been removed and instead, all applicable lands are now categorized as Growth Nodes, which are a component of the Strategic Growth Area classification. As stated throughout this Letter, we support the transition to the drafted policy framework which will continue to direct compact, transit-supportive development in appropriate locations across the City.

We are concerned with the policy framework related to the Central Erin Mills, Sheridan and South Common Growth Nodes in particular. More specifically, the housing-related policies provided for these noted Growth Nodes do not conform to the revisions outlined in the Phase 1 Ontario Land Tribunal Order regarding Mississauga Official Plan Amendment 115 (MOPA 115). We request that the policies be revised to maintain consistency with the OLT Orders related to Phases 1 and 2 of the MOPA 115 appeal.

Chapter 17, Special Sites

Revisions are contemplated to the Special Site policy framework. Specifically, a new Chapter 17 is to be introduced which encompasses all Special Site policies, presented in sequential order, rather than as components of the parent Character Area policies. While we support the transition to a refined policy framework that balances the Provincial and local objectives, we are also concerned that this organization will lead to confusion and will necessitate continuous housekeeping amendments to be introduced as development approvals receive Council approval and must be integrated.

In correspondence with City staff, the suggestion has been made that for existing planning applications that do not obtain a decision by the time the new Official Plan is approved by the Minister, a further Official Plan Amendment to the new Official Plan will be required. We do not agree with this approach as planning applications are to be reviewed against the Official Plan in-effect at the time of the application, with consideration for the new Official Plan. As such, we request that as Council decisions and approvals are granted for current and existing planning applications already under review, the required Special Site policies will be enacted by the City and addressed as housekeeping amendments in the new Official Plan.

Glossary

The Official Plan contains a refined glossary of key terms in Chapter 19. Of particular concern is the refined definition of the term **compatible**. Specifically, the term **compatible** is to be defined as follows:

‘means development that enhances the site and surrounding area without introducing unacceptable adverse impacts. Evaluating impacts includes considering contextually relevant matters such as land use, massing, scale, the environment, health, safety, noise, vibration, dust, odours, traffic, sunlight, shadow and wind. Compatible should not be narrowly interpreted to mean “the same as” or “being similar to”.’

The above-noted definition is concerning and is unnecessarily restrictive. As written, this definition does not adequately capture that compatibility can be interpreted in a variety of ways, however, compatible development does not require that existing conditions be replicated but rather a development can differ from existing development without creating unacceptable adverse impacts. The proposed definition can be narrowly interpreted and may result in a greater range of aspects to be considered in the evaluation of whether a development can be understood to be compatible. Furthermore, the term compatible is a term that is used extensively throughout the draft Official Plan. Based on the above, we request that the definition of compatible be returned to that included in Section 1.1.4.r of the in-effect Mississauga Official Plan which is as follows:

‘means development, which may not necessarily be the same as, or similar to, the existing or desired development, but nonetheless enhances an established community and coexists with existing development without unacceptable adverse impact on the surrounding area.’

Organization

A final overarching concern is the length and organization of the Mississauga Official Plan. As adopted, the Mississauga Official Plan, exclusive of implementing Schedules, is 713 pages. This is a significant and overly complicated policy framework meant to guide how growth and development occurs across the City of Mississauga up to the year 2051. We respectfully request the Ministry to require modifications to streamline and simplify the local policy framework so that broader, overall policy objectives are identified. Simplification of the Official Plan would enable the Official Plan to function as intended – as a strategic document which provides policy guidance. Further detail regarding matters such as setbacks, angular planes, etcetera can and should be provided either through companion documents such as Secondary Plans, Urban Design Guidelines or the implementing Zoning By-law. This approach would also ensure consistency with how Official Plans are crafted for neighbouring jurisdictions such as the City of Brampton, Town of Oakville, Town of Milton and the City of Toronto. Furthermore, a streamlined Official Plan would enable a document that is more easily accepted, can be understood by community members and

would support the Provincial objective of Bill 17 for a consistent planning framework for lands across the Province of Ontario.

Conclusion

In summary, we acknowledge and appreciate revisions to the draft policy framework that have been made to enable flexibility. However, we remain concerned about the proposed policy directions outlined in the draft Mississauga Official Plan 2051 and continue to request that modifications be made. In our opinion, many of the proposed policies are overly and unnecessarily restrictive. Should the proposed policy framework, as contemplated, remain unchanged, we expect that an increased number of privately-initiated Official Plan Amendments would be triggered. An increase in these applications will further constrain the limited municipal resources but will also continue to challenge the delivery of development in appropriate locations.



Appendix II / Previous Comment Letters

March 15, 2024

GSAI File: Various

In Memoriam, Founding Partner:
Glen Schnarr

(Via Email)

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RE: Mississauga Official Plan 2051
City File: CD.02-MIS
Various Clients and properties, City of Mississauga

Glen Schnarr and Associates Inc (GSAI) is pleased to make this submission regarding the Mississauga Official Plan Review. GSAI has been participating in the Mississauga Official Plan Review initiative ('OP Review initiative') as well as various related City initiatives. We understand that when complete, the OP Review initiative will culminate in a new draft Official Plan (the 'Mississauga Official Plan 2051') that will modify the policy framework permissions for lands across the City.

Further to our previous Comment Letters on the draft Mississauga Official Plan, we are pleased to provide general comments on the Mississauga Official Plan 2051, released on February 12, 2024.

Housing Choices and Affordable Homes

A new housing-related policy framework is proposed and is presented in Chapter 5, Housing Choices and Affordable Homes. Policies 5.2.2, 5.2.4, 5.2.5 and Table 5.1 as stated below are concerning:

'5.2.2. Phased development will have a range and mix of housing types for each development phase.'

'5.2.4. To achieve a balanced mix of unit types and sizes, and support the creation of housing suitable for families, development containing more than 50 new residential units is encouraged to include a minimum of 50 percent of a mix of 2-bedroom units and 3-bedroom units. The City may reduce these percentages where development is providing:

- social housing or other publicly funded housing; or*
- specialized housing such as residences owned and operated by a post-secondary institution or a health care institution or other entities to house students, patients employees or people with special needs'*

'5.2.5. The City will plan for an appropriate range and mix of housing options and densities by implementing Regional housing unit targets shown in Table 5.1'

Table 5.1 – Peel-Wide New Housing Unit Targets

<i>Target Area</i>	<i>Targets</i>
<i>Affordability</i>	<i>That 30% of all new housing units are affordable housing, of which 50% of all affordable housing units are encouraged to be affordable to low income households</i>
<i>Rental</i>	<i>That 25% of all new housing units are rental tenure</i>
<i>Density</i>	<i>That 50% of all new housing units are in forms other than detached and semi-detached houses. Note: These targets are based on housing need as identified in the Peel Housing and Homelessness Plan and Regional Housing Strategy</i>

The above-noted policies and Table 5.1, as written, are concerning. Use of the Region-wide housing targets, as established by Policy 5.2.5 and Table 5.1 are concerning as the housing-related targets have not been adapted nor studied to ensure applicability at the smaller, City-wide scale. Furthermore, the requirement in Table 5.1 that 30% percent of all new housing units are to be affordable housing units and the requirement that 25% of all new housing units be rental in tenure are concerning and will challenge the rapid delivery of housing units, in appropriate locations. Furthermore, the requirement for affordable units, regardless of a property's location, is contrary to in-effect Provincial and Regional policy objectives, which state that affordable housing units are legislated requirements in Inclusionary Zoning Areas. We request that Table 5.1 be modified so as to relate to housing targets at the City-wide scale and to reflect that affordable housing units are to be provided through the application of Inclusionary Zoning.

Additionally, the policy statement that phased developments include a range and mix of housing types and the policy statement that 50% of new housing units be larger, family-sized units are concerning. While we understand the intent of the policies is to encourage developments that enable housing choice, including for families, the policies as written are prohibitive and will challenge the delivery of needed housing units, in appropriate locations. We request that the policies be amended to encourage a range of dwelling units be provided in each development phase, where phased development is contemplated and that policy 5.2.4 be amended to encourage a reduced percentage (20% or less) of family-sized units to be provided.

Inclusionary Zoning

The draft MOP has incorporated the City's Inclusionary Zoning policy framework, which is largely in accordance with the Council adopted Official Plan Amendment policies and Inclusionary Zoning By-law. While we support the use of Inclusionary Zoning as one of many tools available to a municipality to encourage and secure affordable housing units, we are concerned with Policies 5.3.3.11 and 5.3.3.12 which identify that affordable housing units are to be a mix of one-bedroom, two-bedroom and three-bedroom units and to be affordable as well as the required price point for each affordable unit type. It is our opinion that the ultimate range and mixture of affordable units is best dealt with during the technical evaluation of a site-specific development application. Furthermore, requiring that an affordable housing

unit of a certain size be priced at a certain threshold may challenge the delivery of new housing units given current and evolving market patterns and consumer preferences.

Finally, we are concerned with Table 5.2 and Policy 5.3.3.13. In accordance with Bill 23, the length of an Inclusionary Zoning affordable unit term was to be reduced to a maximum of 25 years and the ultimate set aside rate, regardless of a property's location within an Inclusionary Zoning Area, was to be reduced to 5%. We understand that the above-noted modifications are subject to implementing regulation changes to Ontario Regulation 232/18 in order to become in full force and effect. While we understand that the amendment to Ontario Regulation 232/18 remains forthcoming, greater clarity on how the affordability period of a unit and the set aside rates conform to the evolving Provincial policy framework is requested.

Well Designed Healthy Communities

A new urban design-related policy framework is proposed and is presented in Chapter 8, Well Designed Healthy Communities. Policies 8.4.1.17, 8.4.5.2 and 8.6.2.5 as stated below are particularly concerning:

- '8.4.1.17. *Built form will relate to the width of the street right-of-way.'*
- '8.4.5.2. *Privately owned publicly accessible spaces will be designed in accordance with the city's standards for public open spaces.'*
- '8.6.2.5. *Transitions between buildings with different heights will be achieved by providing a gradual change in height and massing. This will be done through the use of a variety of methods including setbacks, the stepping down of buildings, the general application of a 45 degree angular plane, separation distances and other means in accordance with Council-approved plans and design guidelines.'*

The above-noted policies are concerning and require re-evaluation. In our opinion, the requirement for a built form to have a relationship to the width of the public Right-of-Way ("ROW") on which it fronts is inappropriate. As written, the policy will apply a one-size-fits-all approach to sites across the City, regardless of their location. Furthermore, a limitation of building height to relate to the ROW width is contrary to the practice being imploded in other jurisdictions across the Greater Toronto Area, will challenge the delivery of high-quality, refined, efficient, compact, transit supportive development forms in the desired locations and will hinder the development potential of lands. This policy requires revision to eliminate a universal application of building height limits based on a site's location along a street.

An additional concern is the application of City Standards for public open spaces when Privately Owned, Publicly Accessible Spaces (POPS) are to be provided. The statement that Privately Owned Publicly Accessible Spaces (POPS) be designed in accordance with City Standards is concerning given City Standards for public open spaces do not always reflect the as-built condition of encumbered lands being provided as privately owned, publicly accessible spaces. Furthermore, greater acknowledgement is required that POPS of varying size and locations can be successfully planned, designed and delivered in various ways. Based on the above, we request that the above-noted policy be modified to encourage compliance with City Standards and that conformance with the City's Standard for public open spaces not be required in this instance.

Finally, we are concerned with the universal application of a 45 degree angular plane as one tool available to ensure appropriate transition is provided. In our opinion, Policy 8.6.2.5 requires revision to exclude the requirement that any development be required to conform to a 45 degree angular plane. As the policy suggests, there are various ways of ensuring appropriate transition can be provided. In our opinion, a policy requirement that a development application conform to a 45 degree angular plane, without specifying how the angular plane is to be applied, is overly restrictive. Therefore, we request that the angular plane requirement be removed from the above-noted policy.

Buildings & Building Types

The draft MOP proposes refinements to the policy framework and an evolution towards a built form-based policy framework. This evolution and associated policy refinements are concerning. We are particularly concerned with the policy framework regarding mid-rise buildings. In accordance with Section 8.6.1.b of the draft Official Plan, a mid-rise building is characterized as follows:

'in Mississauga, mid-rise buildings are generally higher than four storeys with maximum heights as prescribed by area-specific policies and land use designations. Their height should not exceed the width of the right-of-way onto which they front, and they must ensure appropriate transition to the surrounding context. Mid-rise buildings can accommodate many uses and provide transit-supportive densities yet are moderate in scale, have good street proportion, allow for access to sunlight, have open views to the sky from the street, and support high-quality, accessible open spaces in the block. Mid-rise buildings provide good transition in scale to adjacent low-rise built forms.'

As stated in this Letter, the above characterization of a mid-rise building is concerning. In our opinion, a mid-rise building can provide an appropriate transition in various ways and is required to be informed by the immediate surrounding context. The requirement that a mid-rise building have a height limited by the right-of-way on which it fronts is contrary to good planning objectives and will challenge the development potential of sites, while also challenging the delivery of vibrant, high-quality, efficient, compact, transit-supportive development forms. We request that this characterization be removed.

Land Use Designations

The draft MOP proposes refinements to the land use policy framework and an evolution towards a built form-based policy framework. This evolution and associated policy refinements are concerning. In accordance with the draft Schedule 7, Land Use Designations, a number of properties across the City have been re-designated. In our opinion, there are instances where this is akin to down designations and if adopted, would result in the loss of development permissions in comparison to existing permissions.

We are also concerned with the inconsistent land use designation categories assigned to lands. Specifically, the land use designation categories outlined on Schedule 7 is in contrast and at times, in conflict with the land use designations identified for Protected Major Transit Station Area lands on Schedule 8. Given we understand that the Major Transit Station Area policies (Chapter 11) are to prevail in the event of a conflict, we respectfully ask that the land use designations assigned to lands on Schedule 7 be re-examined.

In addition to the above, we are concerned with the policy framework for Residential Mid-Rise, Residential High-Rise and Mixed Use designated lands. Specifically, Policy 10.2.5.8 limits the height of designated Residential Mid-Rise lands to a minimum height of 5 storeys and a maximum height that is no greater than the width of the street right-of-way on which it fronts, up to a maximum of 8 storeys. Policy 10.2.5.10 states that designated Residential High-Rise lands will permit heights above 8 storeys, up to a maximum specified in the Character Area or Special Site provisions. Alternatively, if a maximum height is not specified in the Character Area or Special Site provisions, then Residential High-Rise designated lands will have a maximum height that cannot exceed the tallest building on the property. And finally, Policy 10.2.6.3 states that redevelopment of designated Mixed Use sites must maintain the same amount of non-residential floor space. The above-noted policies are problematic and should be revised.

As stated above, the application of a maximum building height for a mid-rise building that relates to a street right-of-way width is concerning, is contrary to best practices and should be removed. Similarly, the limitation of building height to existing conditions on designated Residential High-Rise sites where there is no further guidance in Character Area or Special Site provisions is contrary to good planning and will adversely and unnecessarily limit the development potential of lands. This policy requires revision to allow for building height to be evaluated in a different manner. Finally, the Mixed Use policy requiring non-residential replacement is contrary to good planning objectives, will unnecessarily restrict the ability for well-designed, compact, mixed-use, transit-supportive developments to be implemented. In our opinion, this policy also does not adequately reflect the evolving community contexts, market trends nor a property owner's ability to right-size non-residential areas to ensure there is not an oversupply of vacant spaces. For the above-noted reasons, we request that Policies 10.2.5.8, 10.2.5.10 and 10.2.6.3 be revised. If the policies are not revised, it is our opinion that the policy framework as contemplated will hinder a property's ability to support contextually appropriate development that is able to further implement Provincial, Regional and local policy objectives for compact, mixed-use, complete communities.

Transit Communities

The draft Official Plan proposes to provide a policy framework for lands within Major Transit Station Areas ('MTSAs'). The delineation and land use designations assigned to Protected MTSA (PMTSA) lands are presented in Schedules 8a through 8r. We highlight that the land use designations identified on these Schedules do not align with the land use designations and policy framework presented in Chapter 10. This discrepancy is concerning and requires modification.

Furthermore, Chapter 11 provides for a policy framework that appears to be informed by the City's previous Official Plan Amendments 143 and 144. We highlight that OPA 143 and 144 are not in full force and effect, given they remain before the Region of Peel for approval. Therefore, the inclusion of Major Transit Station Area (MTSA) policies in this draft and presented in this manner is concerning.

Additionally, the policy framework presented by Policies 11.3.2 and 11.3.3 which state that development of Mixed Use, Mixed Use Limited and Downtown Mixed Use designated lands which results in a loss of non-residential floor space will not be permitted unless the planned function can be demonstrated is concerning. As stated above, we are concerned with the policy requirements for replacement of non-residential area. In our opinion, the above-noted policies require modification to state that the provision of a variety of non-residential uses should be encouraged in a new development, rather than requiring non-residential area replacement.

Lastly, we are concerned regarding the maximum height permissions identified on Schedule 8. In our opinion, the maximum building height established for some MTSA lands is low and will unnecessarily limit the development potential of lands in locations where higher density, taller, transit-supportive development ought to be located based on the in-effect Provincial and Regional policy objectives. Furthermore, the proposed building height maximums will be a barrier to supporting efficient, high-quality development from occurring and will be a barrier to supporting greater housing choice, while we are in the midst of a Provincial housing crisis. Based on the above, evaluation criteria should be established for how additional permitted heights can be permitted.

Urban Growth Centre:

Revisions are contemplated in Chapter 12 for lands formerly located within the Downtown component of the City Structure. We highlight that the term Downtown has been replaced with the term Urban Growth Centre throughout the policies. We also highlight that revisions have been made to the Downtown Core, Fairview, Cooksville and Hospital Urban Growth Centre Character Areas. Overall, these revisions appear to be consistent with those revisions arising from the City Council adopted Downtown Fairview, Cooksville and Hospital {Policy Review in 2022.

Overall, we are concerned with portions of the Urban Growth Centre policy framework, particularly those policies which state that redevelopment of lands which results in a significant reduction in the number of jobs that could be accommodated on the site will not be permitted (Policy 12.1.1.5) and those that state development must demonstrate how a concentration of jobs can be accommodated (Policy 12.1.1.6). In our opinion, these policies require revision to soften the requirement for job replacement or concentration. The requirement for replacement of jobs or a concentration of jobs within a development is inconsistent with the development vision established by Provincial and Regional policy objectives for the Downtown Mississauga Urban Growth Centre to support the creation of a vibrant, compact, mixed-use, transit supportive, complete community.

Similarly, we are concerned with the Urban Growth Centre policy framework for designated Office lands. In particular, Policy 12.1.3.5 states that redevelopment of existing office buildings that result in the loss of office floor space will not be permitted, unless the same amount of office space is retained or replaced through new development. The above-noted policy requires revision as it unnecessarily restricts the development potential of lands. It also does not adequately capture a developer's ability to right-size office space based on market trends and tenant preferences. Finally, the policy is contrary to the development vision for Urban Growth Centre lands as appropriate and desirable location for compact, mixed-use, pedestrian-oriented and transit supportive development forms to locate in order to support the Urban Growth Centre as a whole as a vibrant, attractive, complete, 15-minuty community. The requirement for office floor space to be replaced will challenge the ability to deliver much needed mixed-use developments in the midst of a Provincial housing crisis.

Finally, the introduction of angular plane requirements and building separation distances to Official Plan policy is concerning. These are urban design objectives which can and should continue to be implemented through Built Form Standards. We request that the policy requirement for 45 degree angular plane treatments and a minimum building separation distance, as measured between structures above a certain height, be removed.

Glossary

The draft Official Plan contains a refined glossary of key terms in Chapter 18. Of particular concern is the refined definition of the term compatible. Chapter 18-4 of the draft Official Plan states the term compatible is to be defined as follows:

'means development that enhances the site and surrounding area without introducing unacceptable adverse impacts. Evaluating impacts includes considering contextually relevant matters such as land use, massing, scale, the environment, health, safety, noise, vibration, dust, odours, traffic, sunlight, shadow and wind. Compatible should not be narrowly interpreted to mean "the same as" or "being similar to".'

The above-noted definition is concerning and is unnecessarily restrictive. As written, this definition does not adequately capture that compatibility can be interpreted in a variety of ways, however, compatible development does not require that existing conditions be replicated but rather a development can differ from existing development without creating unacceptable adverse impacts. The proposed definition can be narrowly interpreted and may result in a greater range of aspects to be considered in the evaluation of whether a development can be understood to be compatible. Furthermore, the term compatible is a term that is used extensively throughout the draft Official Plan. Based on the above, we request that the definition of compatible be returned to that included in Section 1.1.4.r of the in-effect Mississauga Official Plan which is as follows:

'means development, which may not necessarily be the same as, or similar to, the existing or desired development, but nonetheless enhances an established community and coexists with existing development without unacceptable adverse impact on the surrounding area.'

Summary

In summary, we are concerned about the proposed policy directions outlined in the draft Mississauga Official Plan 2051 and request that modifications be made. It is our opinion that many of the proposed policies are overly and unnecessarily restrictive. Should the proposed policy framework, as currently contemplated, remain unchanged, we expect that an increased number of privately-initiated Official Plan Amendments would be triggered. An increase in these applications will result in additional pressures on already constrained staff and resources.

Given any development application must consider the Mississauga Official Plan in its totality, we look forward to the opportunity to review the refined draft Mississauga Official Plan. Thank you for the opportunity to provide these comments. GSAI wishes to be included in the engagement for the Mississauga Official Plan Review initiative and wishes to be informed of updates, future meetings and the ability to review and provide comments on the final Official Plan prior to adoption. We look forward to being involved.

Yours very truly,
GLEN SCHNARR & ASSOCIATES INC.

cc. Ben Phillips, Project Manager, Official Plan Review

February 14, 2025

GSAI File: Various

(Via Email)

Mr. Ben Philips

Project Manager, Mississauga Official Plan Review

City of Mississauga

300 City Centre Drive

Mississauga, ON L3B 3C1

**RE: Mississauga Official Plan 2051
Various Clients and Properties, City of Mississauga**

Glen Schnarr and Associates Inc. (GSAI) is pleased to make this submission regarding the Mississauga Official Plan Review. As Staff and Council are aware, GSAI has been participating in the Mississauga Official Plan Review initiative ('OP Review initiative') as well as various related City initiatives. We understand that when complete, the City's OP Review initiative will culminate in a new draft Official Plan (the 'Mississauga Official Plan 2051') that will modify the policy framework permissions for lands across the City.

Further to our comments expressed in the Comment Letter, dated March 14, 2024, this Letter provides our general comments on the draft Mississauga Official Plan 2051, released in January 2025. Our comments are presented below in accordance with the proposed structure of the draft Mississauga Official Plan 2051.

Chapter 3, Directing New Development

Chapter 3 provides the City's growth management policy framework. While we support the need for a revised policy framework, we support a selection of policies and remain concerned with others. Our comments are outlined below.

'3.2.4. Most of Mississauga's future growth will be directed to Strategic Growth Areas, which are the Downtown, Growth Centres, Growth Nodes and Major Transit Station Areas.'

We support the above-noted policy. Directing development to delineated Strategic Growth Areas is not only good policy but it is consistent with Provincial objectives as outlined in the Provincial Planning Statement, 2024. It will also continue to ensure that development is directed to

appropriate locations across the City. However, directing development to Strategic Growth Areas must be supported by infrastructure investments to ensure that the needs of community members are satisfactorily addressed which is a responsibility that rests with the City and/or the Region. Infrastructure investments that reflect the priority areas for growth, while balancing the needs of other areas of the City, is critical for directing and achieving smart growth and supporting redevelopment opportunities and intensification.

Chapter 3.3 contains a revised City Structure framework. More specifically, there have been refinements and re-classification of certain components of the City Structure. This includes the previous Uptown Major Node being elevated to the Growth Centre classification, the previous Downtown Character Area being redefined to exclude the Downtown Core area and the remainder of the Fairview, Cooksville and Hospital communities being categorized as Growth Centre lands and the removal of the Major Node and Community Node categorizations in favour of a new category referred to as Growth Nodes. Additionally, the previous category of Intensification Areas has been removed. Based on the above and the policies as drafted in Chapter 3.3 to respond to the re-classifications, we generally support revisions to the City Structure to reflect current trends and policy objectives. We note and would respectively repeat our previously documented comments seeking revisions to the Central Erin Mills Growth Node, Dixie-Dundas Growth Node and Port Credit Growth Node boundaries to enable contextually appropriate development to occur on lands that are in proximity to transit services and would support Provincial and local objectives.

Chapter 4, Sustaining the Natural Environment

Chapter 4 presents the City's natural environment policy framework. This includes policies related to a changing climate. We are concerned with Policy 4.2.2 which states:

'4.2.2. Mississauga will support the planning and design of new communities and buildings that aim to achieve near net zero emissions.'

The above-noted policy as drafted is concerning and requires revision. While we understand and support a policy framework that supports a response to a changing climate, the above-noted policy as drafted has (while potentially inadvertent) significant and adversely impacts for development. More specifically, a policy that requires buildings to aim to achieve near net zero emissions will require significant investment and resources much earlier in the development approval process (potentially during the Official Plan Amendment and/or Zoning By-law Amendment stage) than is currently contemplated. As an example, the City of Mississauga recently adopted a revised Green Development Standard in order to achieve sustainability objectives. Currently, the City of Mississauga Green Development Standard (the 'Standard') establishes a minimum score that must be adhered to. The Standard also only applies to those development applications that are proceeding through the Site Plan Control or Site Plan Approval process, and appropriately, the

Standard is handled through that process, when buildings and their components are more evolved or refined. The above-noted policy will have the indirect consequence of requiring significant investments in the earliest development approval stages in order for a developer to find a context-specific and economically appropriate solution for achieving near net zero emissions. It may also require additional supporting application materials to be prepared and as such, will pass additional costs on to the end user user and would require further discussion or negotiation with staff and a proponent to find a mutually agreeable resolution. We find the language “near net zero” to be open ended and ultimately, we question how this is enforceable in a policy context. It begs the question on how much time and discussion will be had at an early stage in order to reasonably satisfy this policy. We would encourage staff to remove this policy and continue to use the Green Development Standard Tool where required which has recently been updated.

In order to implement the Mayor’s Task Force and Housing Pledge objectives of building more housing, we respectfully request that this policy be removed as it will only add barriers to developments reaching implementation stages.

Chapter 4 also presents a framework to guide how public parkland dedication is to occur. This includes Policy 4.3.5.5 which states:

- ‘4.3.5.5. The minimum park provision will be equivalent to:*
- a. 12 percent of the total area of the Growth Centre and Growth Nodes; or*
 - b. 1.2 hectares per 1,000 population in all other residential parts of the City.’*

In our opinion, the above-noted policy should be revised to reference the minimum parkland dedication requirements established by the Planning Act, rather than the above which is derived from the City of Mississauga’s Parks Master Plan.

Chapter 5, Housing Choices and Affordable Homes

Chapter 5 presents the City’s refined housing policy framework. As further outlined in our previous Comment Letter, dated March 14, 2024, we remain concerned with Policies 5.2.3, 5.2.4 and Table 5.1 as drafted. For brevity, we will not repeat the policies nor the Table as drafted. However, use of Region-wide housing targets, as established by Policy 5.2.4 and Table 5.1 is concerning as the housing-related targets have not been adapted nor studied to ensure applicability at the smaller, City-wide scale. Additionally, Policy 5.2.4 and Table 5.1 which states that 30% of all new housing units, regardless of a property’s location, are to be affordable housing units is contrary to in-effect legislation as well as Provincial and Regional policy objectives which collectively state that affordable housing units are legislated requirements only in Inclusionary Zoning Areas. We request again that Table 5.1 be modified to reflect the City-wide scale and to r

further, request explicit acknowledgment in the policy that affordable housing units cannot be mandated on properties outside of an Inclusionary Zoning Area.

Lastly, we remain concerned with Policy 5.2.3 as drafted which encourages developments containing 50 or more units to provide 50% of units as family-sized or two and three bedroom units. While we understand the intent of the policy and appreciate use of the word ‘encourage’, the policy as drafted is restrictive and in practice will challenge the delivery of much needed housing units in appropriate locations, in the midst of a Provincial housing crisis. Additionally, encouragement of larger, family-sized units does not always reflect market trends or the reality that housing options for families will require a selection of housing units and price points. We also have concerns about how enforceable this policy becomes. The latter portion of this policy provides City staff with the opportunity to treat this as more of a ‘requirement’ by offering relief to certain types of development, which in turn, would lead to many discussions and negotiations, effectively slowing the development approvals process.

In addition to these concerns, we remind the City that the Inclusionary Zoning for PMTSAs has been established, and further, that the Housing Assessment requirements have been removed as a required application submission deliverable. We interpret this to mean that the City believes that Inclusionary Zoning is an appropriate response to ensuring affordable housing is provided for, and in turn has identified where new affordable housing is to be placed. We agree with that and encourage the City to allow IZ policies to continue to be the governing metric/parameter in terms of requiring any specific housing. Policy 5.2.3 would frustrate the timely approvals for development applications and present a market barrier by providing for units that may not sell, as evidenced in excerpts from the Mayors Task Force Report from January 2025.

We continue to request that Policy 5.2.3 be modified to encourage a reduced percentage (20% or less) of family-sized units or remove this policy to remove a barrier to the delivery of much needed housing units in appropriate locations across the City.

Inclusionary Zoning

As drafted, the Mississauga Official Plan 2051 has incorporated the City’s Inclusionary Zoning policy framework in accordance with the Council adopted Official Plan Amendment policies and Inclusionary Zoning By-law. As outlined in the March 14, 2024 Comment Letter, we remain concerned with the Inclusionary Zoning policy framework as drafted as it continues to not reflect the reduced affordable unit term of 25 years and the reduced maximum set aside rate in accordance with Bill 23. We request again that the Inclusionary Zoning policy framework be updated to reflect the changes enacted by recent legislation and Provincial priorities.

Chapter 8, Well Designed Healthy Communities

Chapter 8 presents a refined urban design-related policy framework. We remain concerned, and this is further described in relation to the proposed building classifications and land use framework, with the move to a form-based policy framework. As outlined in the March 14, 2024 Comment Letter, we remain concerned with the elevation of urban design guidance to policy. We also remain concerned that the Mississauga Official Plan continues to require certain urban design policy requirements to be met as this is contrary to the evolving direction as outlined by the Mayor’s Task Force.

Of particular concern is Policy 8.2.9.c) which states that the City’s vision will be supported by site development that demonstrates context sensitivity and transition. A similar concern is shared with Policy 8.6.2.5 which states that transition can be achieved through the use of setbacks, stepping down of buildings, angular plane, separation distances and other means or with Policy 8.6.2.6 which states that developments will provide a transition in building height and form between Strategic Growth Areas and adjacent Neighbourhoods with lower heights. Policy 8.6.2.6 is followed by the following illustrative graphic, referred to as Figure 8.9:

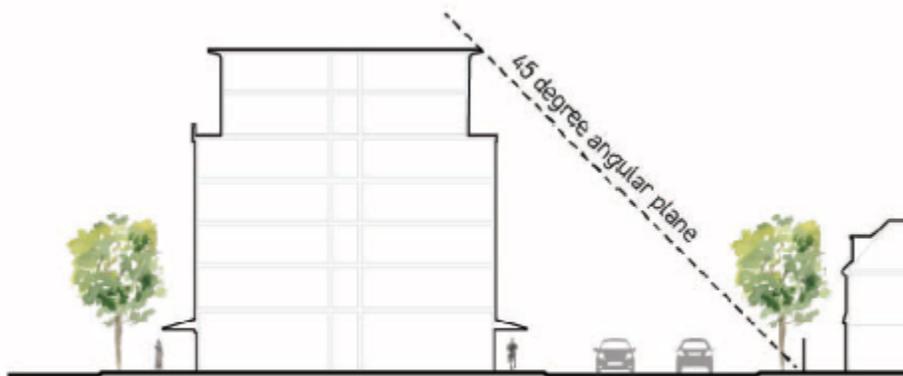


Figure 8.9. Angular planes allow for more gradual transitions between low-rise neighbourhoods to adjacent higher rise developments, while enhancing the pedestrian environment.

The above-noted policies and the above illustrative graphic are concerning. As the policies as drafted suggest, there are various ways of ensuring appropriate transition can be provided. There is also ambiguity given transition is not a defined term and could lead to subjective or independent interpretations. In our opinion, elevating appropriate transition and requiring it through policy is concerning and is more appropriately handled through urban design guidelines which are more flexible in their application and well suited to recognize and respond to area context and areas in transition. This concern is furthered by the above-noted policies which suggest that a development application conform to a 45 degree angular plane, without specifying how the angular plane is to be applied, is overly restrictive and misleading. Furthermore, the policy requirement and

illustrative graphic provided by Figure 8.9 that an angular plane be applied is inconsistent with how transition is to be provided in guiding documents such as the Hurontario Main Street Master Plan and Dundas Connects Master Plan. In our opinion, the angular plane requirement should be removed from policy and should be refined and included with appropriate reference to the City Structure area and built form relationships to which it may be appropriately applied. Additionally, the illustrative graphic provided by Figure 8.9 should be removed to eliminate confusion or policy misinterpretation.

8.4.5, Open Space and Amenity Areas

Section 8.4.5 provides a policy framework regarding open space and amenity areas. While we support the policy direction to recognize that open spaces of varying forms can complement and support public spaces such as public parks, we remain concerned with Policy 8.4.5.2 which states:

'8.4.5.2. Privately Owned Public Spaces (POPS) contribute to the public realm. These spaces, where appropriate, will be designed and maintained in accordance with the standards established by the City, and remain open and universally accessible to public. POPS provided to the City will:

- a) provide a public easement over the extent of the POPS; and*
- b) the size, extent, design, configuration and program of POPS will be done in consultation and to the satisfaction of the City.'*

The above-noted policy as drafted is concerning and requires revision. To begin, a policy requirement that a Privately Owned, Publicly Accessible Space (POPS) be designed in accordance with a City Standard is unnecessarily restrictive and does not afford sufficient flexibility to achieve contextually/locationally appropriate open space design. The location, design and ultimate programming of a POPS space within a development can vary depending on site-specific contexts and circumstances. Requiring that a POPS space be designed in accordance with a City Standard does not adequately reflect the above-noted variations and take into consideration any necessary flexibility in designing open spaces. Requiring that a POPS space be designed in accordance with a City Standard does not adequately reflect the above-noted variation and flexibility. Furthermore, there is no current City Standard for POPS. Therefore, a policy requirement that a POPS be designed to conform to a City Standard that does not yet exist is premature. We request that this policy be modified to remove reference to a City Standard. This would enable the provision of POPS to remain flexible and continue to support the provision of open spaces of varying sizes to support the needs of future and existing residents.

8.6, Buildings and Site Development

Section 8.6 provides a policy framework regarding the provision of built forms and site organization. We remain concerned with the phrasing of Chapter 8.6.1 and the policy description of how a low, mid- or high-rise building is to be understood. Most concerning is the definition of a mid-rise building which states that a mid-rise building “is generally higher than four storeys with maximum heights prescribed by area-specific policies and land use designations. Their height should be designed to consider the width of the street right-of-way onto which they front, and they must ensure appropriate transition to the surrounding context”. While we acknowledge that between the previous draft Official Plan released in February 2024 and the current iteration, the definition of a mid-rise building has been improved, we remain concerned. In our opinion, restricting a mid-rise building to being generally 4 to 8 storeys in height (when the area-specific and land use designation policies are considered collectively) is unnecessary. As Staff are aware, mid-rise structures in neighbouring jurisdictions can and often do have differing heights. For example, the City of Brampton considers a mid-rise building to be up to 12 storeys, while the City of Toronto can consider a structure to be a mid-rise building with heights that are greater than 12 storeys. The policy limitation of a mid-rise building having a maximum height of 8 storeys is artificially low and will challenge the delivery of much needed, high-quality development in appropriate locations by adding further policy barriers and requiring site specific amendments. From these external examples, it would appear there are ways to consider building height along a rights-of-way without the street width and a typically referenced rigid angular plane or other urban design-inspired policies. Furthermore, the requirement that a mid-rise building consider the width of the street Right-of-Way onto which it fronts remains restrictive and does not adequately account for site-specific contexts (for example, a higher-order road, Arterial, Collector, local road or laneway). This policy will serve to restrict development in appropriate locations. Overall, for the reasons outlined above, we request that the policy definition of a mid-rise building be modified to provide as much flexibility as possible.

Chapter 10, Land Use Designations

Revisions are contemplated to the City’s land use designation framework. More specifically, the Mississauga Official Plan as drafted contemplates an evolution towards a built form-based policy framework. As expressed in our previous Comment Letter, we remain concerned with this evolution and the draft policy framework. In our opinion, the proposed land use framework continues to result in instances where properties are to be re-designated and this is akin to down designations which would result in the loss of as-of-right development permissions and ultimately result in more privately initiated, site specific Official Plan Amendments which could have otherwise been avoided.

Furthermore, the proposed land use designations do not provide the same flexibility as the current in-effect policy framework. We are also concerned with the introduction of further maximum height limitations, based on a property's built form-based land use. For example, Policy 10.2.5.10 which states that lands designated Residential High-Rise will permit maximum height as specified in the Character Area or Special Site provisions, or if heights are not specified, then the maximum allowable height will not be greater than the tallest existing building on the property. This policy as drafted is overly restrictive, contrary to good practice and should be removed. Existing buildings and their associated site conditions were approved under different planning regimes, applicable building/design requirements, as well as market conditions and should not necessarily be used as a benchmark with today's reality. We continue to encourage the City to employ urban design guidelines and review through the development approvals process to determine contextually appropriate heights (and massing). This presents a more flexible and opportunistic approach and responds to optimizing or leveraging otherwise underutilized sites across the City and allows the flexibility on a site by site, or area by area basis to respond to the City structure.

Mixed Use Lands

In addition to the above, we are concerned with Policies 10.2.6.3 and 10.2.6.4. More specifically, Policy 10.2.6.3 states that on lands designated Mixed Use, a minimum amount of non-residential replacement Gross Floor Area (GFA) will be required based on the greater of two (2) scenarios. As drafted, the wording of the scenarios is unclear and is concerning. Furthermore, a policy requiring that a minimum amount of existing non-residential GFA be replaced in a development is unnecessarily restrictive, does not reflect the post-pandemic market and trends, will serve to prevent an ability to 'right-size' non-residential spaces based on market trends and end-user needs and is contrary to best practices. Additionally, policies such as Policy 10.2.6.3 is premature in our opinion given the City has just begun a Retail Needs Study. Any future policies related to requiring non-residential areas should be informed by the outcome of the Retail Needs Study to avoid the need for Official Plan Amendments going forward. In our opinion, the policy should be removed. If removal is not to be considered, then we request that the policy be revised to clearly specify when replacement GFA is to be required and to provide a policy mechanism that should a Market Needs Analysis be provided to the satisfaction of Staff, replacement GFA will not be required without the need for an Official Plan Amendment.

We are similarly concerned with Policy 10.2.6.5 which states that where lands are within a Strategic Growth Area, are designated Mixed Use and contain substantial office uses, development will be required to maintain the existing GFA of these uses. As outlined above, we request that this policy be removed or alternatively, be revised to permit a reduction in office GFA. A policy which would permit a reduction in existing office GFA is important given the post-pandemic trends, a significant vacancy rate for office and would enable property owners to right-size the non-residential areas included in a development proposal to reflect market trends, end-user needs

and to ensure the non-residential areas can be occupied to support complete community objectives and vibrant public realms. If left as written today, the overwhelming metric could result in dangerous and unappealing retail space vacancies in new projects due to oversupply and effectively render valuable street frontage spaces unused, tarnishing the City's vision for active street frontages and animated streetscapes.

Lastly, Policy 10.2.6.4 which states that maximum building heights specified by Character Area, Protected Major Transit Station Area or Special Site policies for designated Mixed Use lands may be exceeded by a maximum of 3 storeys in order to accommodate non-residential uses above the ground floor is restrictive.

Mixed Use Limited

We support the introduction of the Mixed Use Limited land use designation. In our opinion, this designation will support development objectives and will facilitate residential or mixed-use development to occur in appropriate locations, provided the evaluation criteria established by Policy 10.2.7.4 is sufficiently satisfied. . In fact, we would suggest that the City consider applying the Mixed-Use Limited designation on other lands in the City which are located within areas in transition such as the Clarkson GO Station lands. We also highlight that the evaluation criteria of Policy 10.2.7.4 is consistent with Provincial objectives as outlined in the Provincial Planning Statement, 2024.

Chapter 11, Transit Communities

Revisions are contemplated to the City's transit and Major Transit Station Area policy framework. Specifically, Chapter 11 as drafted will provide clear, succinct policy direction for how transit-supportive development is to be achieved and how lands within delineated Major Transit Station Areas are to develop over the long-term. Overall, we support the policy framework established by Chapter 11 and support the inclusion of refined policies. These refined policies include Policies 11.3.3.2 which permits additional height within a delineated Protected Major Transit Station Area (PMTSA) subject to satisfying evaluation criteria and Policy 11.3.3.4 which permits compact, higher density development on lands that are adjacent to the approved limits of a PMTSA, subject to evaluation criteria being satisfied. Finally, we support the modified maximum height permissions granted to PMTSA lands, as outlined on Schedule 8. In our opinion, the above-noted policies and revisions to Schedule 8 are appropriate, will support the achievement of Provincial and local objectives and will enable compact, transit-supportive development to occur in appropriate locations that are served by transit networks.

Chapter 13, Growth Centres

As stated above, revisions are contemplated to the former structure of Growth Centre lands. More specifically, the draft Chapter 13 policy framework applies to specified lands throughout the Uptown, Fairview, Cooksville and Hospital communities of the City. The Downtown Core is now subject to area-specific policies outlined in Chapter 12 of the Mississauga Official Plan 2051. We support the transition as this will further support the delivery of compact, transit-supportive development in appropriate locations.

We are however, concerned with instances throughout Chapter 13 where urban design guidelines have been elevated to policy. This includes policies (such as Policy 13.3.3.1) relating to tower separation distances and the use of 45 degree angular planes to facilitate appropriate transition. In our opinion, these policy inclusions are unnecessarily restrictive and should be removed. Rather, the inclusion of urban design guidance within area-specific Built Form Guidelines has been successfully implemented without issue for decades. A removal of urban design guidance from policy will also serve to further implement the recommendations arising from the Mayor's Task Force.

Lastly, we are concerned with Policy 13.1.1.5 and Policy 13.1.2.5. Policy 13.1.1.5 states that developments within Growth Centres that would serve to significantly reduce the number of jobs that can be accommodated on the site will not be supported. In our opinion, this policy as drafted is unnecessarily restrictive, will serve to impede development in appropriate locations and does not adequately reflect pre-pandemic work from home patterns as well as post-pandemic or current market realities. The policy should be removed. Similarly, Policy 13.1.2.5 states that redevelopment of existing office buildings that results in the loss of office floor space will not be permitted, unless the same amount of office space is retained or replaced. As stated above, a policy that requires 1:1 replacement is unnecessarily restrictive, is contrary to current trends and best practices and should be removed.

Chapter 14, Growth Nodes

As highlighted above, revisions are contemplated to the former City Structure. More specifically, we understand that the former distinction between Major Node and Community Node areas of the City have been removed and instead, all applicable lands are now categorized as Growth Nodes, which are a component of the Strategic Growth Area classification. As stated throughout this Letter, we support the transition to the drafted policy framework which will continue to direct compact, transit-supportive development in appropriate locations across the City.

We are concerned with the policy framework related to the Central Erin Mills, Sheridan and South Common Growth Nodes in particular. More specifically, the housing-related policies provided for

these noted Growth Nodes do not conform to the revisions outlined in the Phase 1 Ontario Land Tribunal Order regarding Mississauga Official Plan Amendment 115 (MOPA 115). We request that the policies be revised to maintain consistency with the OLT Orders related to Phases 1 and 2 of the MOPA 115 appeal.

Glossary

The draft Official Plan contains a refined glossary of key terms in Chapter 19. Of particular concern is the refined definition of the term **compatible**. Chapter 19 of the draft Official Plan states the term **compatible** is to be defined as follows:

‘means development that enhances the site and surrounding area without introducing unacceptable adverse impacts. Evaluating impacts includes considering contextually relevant matters such as land use, massing, scale, the environment, health, safety, noise, vibration, dust, odours, traffic, sunlight, shadow and wind. Compatible should not be narrowly interpreted to mean “the same as” or “being similar to”.’

The above-noted definition is concerning and is unnecessarily restrictive. As written, this definition does not adequately capture that compatibility can be interpreted in a variety of ways, however, compatible development does not require that existing conditions be replicated but rather a development can differ from existing development without creating unacceptable adverse impacts. The proposed definition can be narrowly interpreted and may result in a greater range of aspects to be considered in the evaluation of whether a development can be understood to be compatible. Furthermore, the term compatible is a term that is used extensively throughout the draft Official Plan. Based on the above, we request that the definition of compatible be returned to that included in Section 1.1.4.r of the in-effect Mississauga Official Plan which is as follows:

‘means development, which may not necessarily be the same as, or similar to, the existing or desired development, but nonetheless enhances an established community and coexists with existing development without unacceptable adverse impact on the surrounding area.’

Conclusion

In summary, we acknowledge and appreciate revisions to the draft policy framework that have been made to enable flexibility. However, we remain concerned about the proposed policy directions outlined in the draft Mississauga Official Plan 2051 and continue to request that modifications be made. In our opinion, many of the proposed policies are overly and unnecessarily restrictive. Should the proposed policy framework, as contemplated, remain unchanged, we expect that an increased number of privately-initiated Official Plan Amendments would be triggered. An



increase in these applications will further constrain the limited municipal resources but will also continue to challenge the delivery of development in appropriate locations.

Thank you for the opportunity to provide these comments. GSAI wishes to be informed of updates, future meetings and the ability to review and provide comments on the final Official Plan prior to adoption. We look forward to being involved.

Yours very truly,
GLEN SCHNARR & ASSOCIATES INC.

cc. Mayor Parrish and Members of Council