



BOUSFIELDS INC.

July 21, 2025

Ministry of Municipal Affairs and Housing
Municipal Services Office - Central Ontario
Jennifer Le
777 Bay Street, 16th floor
Toronto, ON
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Re: ERO No. 025-0468
Comment Letter re: Adopted Mississauga Official Plan 2051

We are writing on behalf of White Elm Investments Ltd, the owners of lands municipally known as 1450 – 1458 Dundas Street East (the “subject site”). The subject site is generally located southeast of the Dixie-Dundas intersection and has an approximate size of 2.8 hectares adjacent to the Dixie GO Station. See **Figure 1** below.



Subject Site Context

This letter has been prepared in response to the Mississauga Official Plan 2051 which was adopted on March 25th, 2025 (the “Adopted Official Plan”) and is now available for further comment through the ERO. In brief, we have reviewed the draft Official Plan Policies and have issues with certain policies that are not consistent with the Provincial Planning Statement 2024 (the “PPS”). In particular, we recommend modifications to policies that would apply to the Dixie Dundas Growth Node, that in our opinion, are appropriate to support intensification within a delineated PMTSA.

Additional Height Criteria for PMTSAs

Policy 11.3.3.2 outlines various criteria to evaluate additional height in excess of the prescribed maximums identified on Schedule 8g as it relates to the subject site, in this case a maximum height of 25-storeys. A site-specific Official Plan Amendment would be required, and the below noted criteria must be satisfied.

As it relates to the necessity of a site-specific Official Plan Amendment to amend the maximum height permissions, we recommend a modification to Policy 11.3.3.2 as follows:

*“Development in **Protected Major Transit Station Areas** with heights in excess of the limits identified in this Plan may be permitted through site specific **Official Plan Amendment rezoning application**, subject to demonstrating, among other matters, the following:”*

We are of the opinion that certain criteria within Policy 11.3.3.2 (a) to (h) are repetitive and achieved through other criteria, are subjective, and place undue constraints on individual landowners as it relates to transit infrastructure.

In this regard, we recommend the following modifications to the policies:

- ~~*a. the City Structure hierarchy associated with the lands is maintained;*~~
- b. the overall intent, goals, objectives, and policies of the Plan are achieved;*
- c. the type, scale, and built form is appropriate and compatible with surrounding land uses, vision, and the planned context of the area;*
- d. appropriate site size and configuration;*
- e. provides for an appropriate transition to adjacent land uses and built forms, and that minimizes adequately limit visual impacts, overall massing, such as shadowing, wind, and overlook;*
- ~~*f. full funding is secured for planned higher order transit improvements;*~~
- g. existing or planned capacity of infrastructure and services such as water and wastewater, street network, and community amenities, and multimodal transportation systems is sufficient; and*
- h. phasing of development is in accordance with the timing and delivery of infrastructure and services such as water and wastewater and transit*

infrastructure, including, but not limited to, distribution, connections, and capacity. and level of service.”

It is our opinion that Sub (a), more specifically Mississauga’s “City Structure hierarchy”, is not consistent with the PPS as it prescribes a further distinction with regard for height for lands within PMTSAs. The PPS identifies PMTSAs as the optimal location for growth and intensification to occur, and therefore, we are of the opinion this criterion is non consistent. Furthermore, Sub (b) is an appropriate evaluation criteria having overall regard for the intent of the Official Plan and should be preferred to Sub (a). It is our opinion that due to the inconsistency with the PPS, Sub (a) can be deleted.

The modification of Sub (e) removes the term minimize. The term minimize, in our opinion, is better captured through “adequately limit” which seeks to evaluate impact from a utility perspective rather than a quantitative one. For example, the language of minimizing shadowing on parks versus adequately limiting provides opportunities for dialogue on how the utility of a space, such as a park, can continue to function with shadows present. Whereas the minimize language may be interpreted that any presence of shadow is inherently a negative and should be reduced as much as possible to achieve the optimal outcome.

The deletion of Sub (f) regarding the full funding for transit infrastructure should not be a determinative factor for an increase in height. The Dixie GO PMTSA has already been delineated as an area for growth given its access to existing higher-order transit. Furthermore, the funding for transit infrastructure is a factor an individual landowner cannot control and therefore it is inappropriate for it to be included as a criterion for additional height.

The modification of Sub (g) and (h) pertains to the removal of references to multi-modal transit systems and transit infrastructure delivery and its level of service as criteria for additional height. The delineation of PMTSAs constitutes growth and intensification, and through the other criteria such as built form transition, compatibility, and meeting the goals and objectives of the Official Plan, there are other factors that are more determinative for said increases in height. Also, given our recommendation to remove the funding of transit infrastructure from the evaluation criteria, it is our opinion that this should be consistent in Sub (g) and (h) as an individual landowner has minimal control over these factors. Moreover, the PPS does not speak to the delivery or level of service, but rather to existing and planned infrastructure. Therefore, the removal of language related to these factors in (f), (g) and (h) remains consistent with the intent of the PPS.

Replacement of Non-Residential Uses

As it relates to the replacement of non-residential uses in *Mixed Use Areas*, the Official Plan states the following in Policy 10.2.6.3:

“Development on lands designated Mixed Use will:

- a) *provide a minimum retail and service commercial space, equal to the greater of the two following requirements, unless otherwise specified by Character Area or Special Site policies:*
 - i. *retail and service commercial gross floor area (GFA) on the ground floor of each proposed building or the equivalent gross floor area (GFA) across the site. Low-rise buildings intended for transition will not be included in the gross floor area (GFA) calculation; or*
 - ii. *sites under 5 hectares will maintain 65% of the total existing retail and service commercial gross floor area (GFA) and sites equal to or greater than 5 hectares will maintain 45% of the total existing retail and service commercial gross floor area (GFA).”*

In our opinion it is more appropriate to consider a built form approach to the location and amount of non-residential gross floor area. As the Dixie-Dundas Growth Node is predominantly comprised of existing commercial plazas and power centres, it may not be appropriate to replace 45% or 65% of the existing gross floor area. In our opinion, it is more appropriate to take a built form approach to determine the replacement and delivery of non-residential uses. For example, the Dundas corridor should be considered a priority retail street that includes activated frontages and enhanced streetscapes.

Policy 10.2.6.3 does provide that Character Areas or Special Site Policies can include alternative requirements for the replacement of non-residential uses. As such, we recommend a new policy to be added to Section in 14.2.3 as it relates to the Dixie-Dundas Growth Node regarding the replacement of non-residential uses as follows:

“Notwithstanding Policy 10.2.6.3, lands designated Mixed Use within the Dixie-Dundas Growth Node will be encouraged to provide a mix of commercial, retail and service uses to serve future residents, ensuring vibrant active streets and create a complete community. In the Dixie-Dundas Growth Node, such uses will be encouraged to locate adjacent to Dundas Street East and occupy a minimum of 65% of the ground floor gross floor area fronting Dundas Street East.”

We trust the above is satisfactory for the purposes of expressing our requested modifications to the proposed Official Plan Policies as they relate to our client’s Subject Site.

Should you have questions regarding the foregoing, please do not hesitate to contact the undersigned.

Sincerely,

Bousfields inc.



David Charezenko, MCIP, RPP.