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July 18, 2025

Our File Nos.: 250102

Via Online Submission

Municipal Services Office – Central Ontario
16th floor
777 Bay Street
Toronto, ON
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Attention: Jennifer Le

Dear Sirs/Mesdames:

**Re: ERO No. 025-0468
Ministry Reference No. 21-OP-249936
New City of Mississauga Official Plan 2051
Written Submission on Behalf of Oxford Properties Group**

We are counsel to Oxford Properties Group in respect of the lands that it owns and controls with its co-owners in Downtown Mississauga, including the Square One Mall and surrounding lands.

We write on behalf of our client to express concerns with certain aspects of the City of Mississauga Official Plan 2051 (the “**New OP**”), which we understand is now before the Ministry of Municipal Affairs and Housing (the “**Ministry**”) for review. As outlined below, while our client supports the overall vision for the Downtown expressed in the New OP and supports the City’s recent efforts to facilitate the construction of new housing, minor modifications to certain policies are required to ensure the New OP does not create barriers to new housing that would undermine shared City and Provincial objectives.

Background

Oxford, owned by OMERS, is a global real estate investor, developer, and manager. Oxford and its platform companies manage \$79.2 billion in assets across four continents. With a strong capital base and expertise across the real estate spectrum, Oxford combines global and local insights to deliver value, support communities, and strengthen economies.

Oxford and its co-owners own much of the land that comprises the City’s Downtown Core, including Square One mall and a number of surrounding parcels. The City’s vision for the Downtown Core is for it to transform into an urban mixed use centre, with high density

development that supports public investment in surrounding infrastructure, including the Hazel McCallion LRT.

As the single largest landowner in the area of the City intended to accommodate the greatest concentration of new housing and mixed-use development, Oxford is a key partner in achieving the City and the Province’s shared goal of delivering 120,000 new homes in the City by 2031. Oxford has been working closely with the City to advance this objective. In 2025, Oxford delivered over 1,000 new homes in the City’s Downtown, across two towers of 48- and 36-storeys. Phase 2 of that project is anticipated to deliver approximately an additional 750 homes. Oxford is also actively advancing planning and development for a number of other sites in the Downtown.

The New OP

The New OP continues to identify the Downtown Core as residing at the top of the City’s hierarchy in terms of City Structure, intended to accommodate the largest and most intense concentration of residential development and office buildings, among other things. The New OP envisions the Downtown Core as the City’s primary mixed use urban centre, with residential, office and retail uses, and a high quality environment to support existing and planned higher order transit infrastructure.

This vision is largely consistent with that established in 2020 through the approval of Mississauga Official Plan Amendment No. 8 – achieved through coordination between the City, Oxford and other landowners – and is one that Oxford continues to support.

Despite general alignment on the overall vision for the Downtown Core, the New OP contains certain more detailed policies that are problematic and undermine the overarching shared City and Provincial objective of delivering new homes in the City’s Downtown. Urban Strategies Inc. provided written submissions to the City on behalf of Oxford outlining these concerns. However, the New OP was adopted with certain concerns left unaddressed.

The policies of concern, and requested modifications to address them, are outlined below.

Policy 8.2.1.3

Policy 8.2.13 provides that “*Development will have restorative net ecological benefits on a site through the practice of sustainable building and site design.*”

It is not clear what constitutes a “net ecological benefit” and what is required of an applicant to demonstrate it. Further, requiring a development to provide a “net ecological benefit” – however that may be defined – on a site-specific basis is likely to be at odds with the broader policy direction to optimize the use of land through intensification, which has ecological benefits at the community-scale, including making efficient use of land, encouraging active transportation and promoting transit use.

Request: Removing the words “restorative net” would result in a more clear and implementable policy, while still achieving the policy intent. The revised policy would read as follows:

“Development will have ecological benefits on a site through the practice of sustainable building and site design”

Policy 8.6.3.14(d)

Policy 8.6.3.14(d) requires site development to “*preserve mature trees on public and private lands*”.

This policy is problematic and could have the effect of stifling much needed new housing, including on certain lands within the Downtown Core. Preservation is a term that can be understood to have a narrow meaning, generally equivalent to “maintain in its current state”. It is often not possible to preserve all mature trees on a site, and maintaining lands within the Downtown, near higher order transit infrastructure in which billions of public dollars have been invested, in their current state does not represent good planning and is not consistent with Provincial policy direction. As an example, the 1,000+ new homes that Oxford recently constructed in the Downtown may not have been possible without an official plan amendment if there was an official plan requirement to preserve all mature trees formerly on those lands.

Instead, tree preservation is appropriately dealt with at the by-law level, in accordance with the City’s current practice. As staff acknowledged through the processing of the New OP, the City’s tree preservation by-law already exists to regulate tree preservation and removal. Creating an equivalent official plan policy is not only unnecessary, it is problematic – it may create the need for official plan amendment applications for projects where the preservation of a mature tree would not be possible or desirable in balance with other benefits delivered, including housing. By requiring more official plan amendment applications, the proposed policy would have the effect of creating more red tape in the development process, and it would do so without any corresponding benefit, as tree preservation is already addressed through City by-laws.

Request: In light of the concerns outlined above, we suggest that policy 8.6.3.14(d) be deleted. Alternatively, the language should be modified to read as follows:

“preserve mature trees on public and private lands, where feasible”

Section 12.4.7

The prefatory text of Section 12.4.7 of the New OP, which addresses the Square One District, indicates that connectivity of the Square One Mall shopping centre to the surrounding area will be achieved partly by introducing a “*series of parks and open space connections through the District.*”

The reference to “parks” is inconsistent with both the in-force planning framework for the Downtown Core and the land use schedules in the New OP. The in-force land use schedule and that in the New OP do not designate parks. Rather, the City has longed used a broader designation of “Public Open Space”, which encompasses both parks and privately-owned publicly-accessible open spaces. Further, Oxford’s lands within the Downtown Core are subject to long-standing arrangements with the City which exempt the development of Oxford’s lands from obligations to dedicate land for public parkland purposes. In these circumstances, it is not appropriate for the above-noted language to refer to “parks” and we suggest that it be removed. We note that removing the reference to “parks” does not foreclose the possibility of parkland, as the term “open spaces” encompasses both publicly- and privately-owned open space.

Request: Revise the above-noted language so it reads: “...introducing a series of open space connections through the District...”

Policy 12.5.4

Policy 12.5.4 provides that “*Proponents of development applications may be required to demonstrate how new development contributes to a concentration and mix of jobs as a key component of a mixed-use transit-supportive development.*”

In our view, this policy is problematic for a number of reasons.

- First, the use of “may” in the context of this particular policy appears to provide the City with discretion regarding when the direction to demonstrate how new development contributes to a concentration and mix of jobs will apply. Official plan policy should be clear about whether a requirement will or will not apply to a given application.
- Second, the objective of achieving a concentration and mix of jobs is one that applies to the Downtown Core as a whole, and is to be achieved over time through the range of uses permitted in the given land use designations. Individual applications should not have to demonstrate how a given site-specific development contributes to this broader objective.
- Third, the policy as adopted does not sufficiently recognize the contribution that retail and commercial uses make to providing jobs in the Downtown Core.

Request: In light of the concerns outlined above, we suggest that policy 12.5.4 be deleted.

Policy 12.8.3 and Figure 12-2

Policy 12.8.3, applicable only to the Downtown Core, provides as follows: “*Existing, as well as future park sites and pedestrian connections are conceptually located in Figure 12-2, where its final location and size will be determined through individual development applications.*”

Figure 12-2 identifies a series of existing, and conceptual future, parks and open spaces, as set out below:

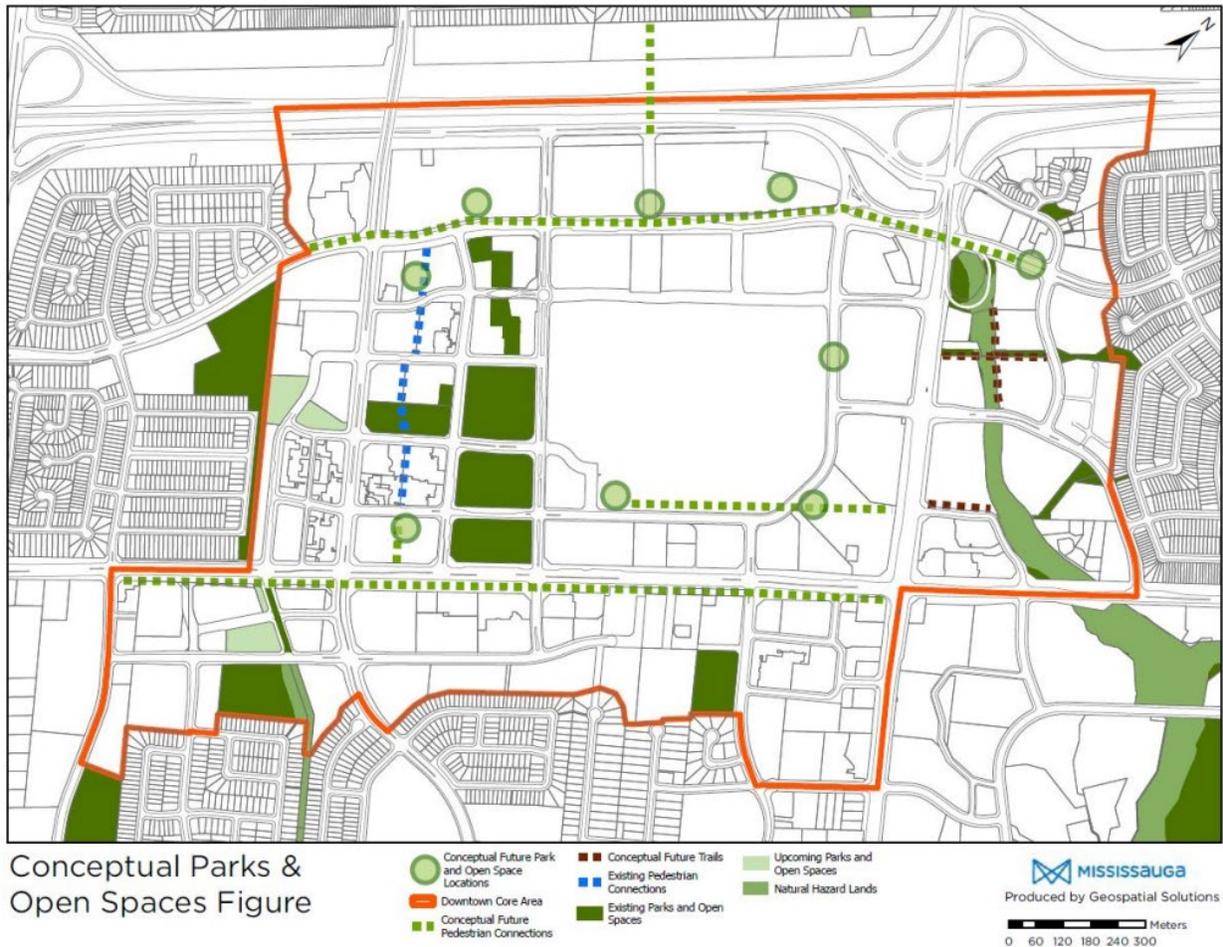


Figure 12-2: Conceptual Parks and Open Spaces

The policy refers to “park sites”. As outlined previously, there is no public park land use designation in the New OP; instead, it refers to public open spaces. The language of the policy suggests that any new open spaces shown are to be parks, which is inconsistent with the intent of the New OP and arrangements for the Oxford lands in particular, as outlined above.

Request: In light of the above, we request that Policy 12.3.4 be revised to read as follows:

“Existing, as well as future open space sites and pedestrian connections are conceptually located in Figure 12-2, where its final location and size will be determined through individual development applications.”

Conclusion

On behalf of Oxford, we ask the Ministry to modify the New OP prior to approval in the manner set out above. Our client appreciates your consideration of these matters and would welcome the opportunity to discuss these comments with Ministry staff.

Yours truly,

Goodmans LLP

A handwritten signature in blue ink, appearing to read "Max Laskin".

Max Laskin

ML/

cc: Client