

July 24, 2025

GSAI File: 1009-004

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

**RE: Mississauga Official Plan 2051  
4099 Erin Mills Parkway, City of Mississauga  
Queenscorp (Erin Mills) Inc  
Provincial File:: ERO #0250465**

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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), on behalf of our Clients, Queenscorp (Erin Mills) Inc., owners of the lands municipally addressed as 4099 Erin Mills Parkway.

As background, GSAI has 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 on behalf of our Client. Generally, our submissions in the past have encouraged the City of Mississauga to employ a certain level of flexibility in their Official Plan policies. While we acknowledge and appreciate some of the changes we've seen through the updates to the Council Approved Official Plan, we still have concerns surrounding a number of policies as currently drafted, including Urban Design policies and Housing policies amongst others.

We offer the following requests and comments/rationale for the consideration by the Province through their review of the Mississauga Official Plan.

**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 endeavor 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 5, Housing Choices and Affordable Homes**

Chapter 5 provides the refined City-wide housing policy framework. Of relevance to the Subject Lands, this City-wide policy framework is supplemented and further informed by the Central Erin Mills Growth Area policies including built form and site development 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.'*

Policy 5.2.3 as drafted 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. 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 locations to satisfy Provincial policy objectives and local Housing Pledges. 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.

### **Chapter 8, Well Designed Healthy Communities**

Chapter 8 presents the urban design-related policy framework. We are concerned with the urban design policies as drafted in the Official Plan. Firstly, Urban Design should be considered as Guidelines or phrased as “encouraged” if it is at all to be described under the Official Plan. This very commonly frustrates the approvals process as the OP policies are far too restrictive, providing little to no flexibility and therefore challenging potentially expedient approvals on the basis of urban design conformity.

This Chapter provides a refined built form and site development policy framework. 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 results in instances where policy is overly restrictive and instances where urban design guidance has been elevated to policy.

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. In our opinion, attaching policy requirements to a largely qualitative urban design measure/tool is counterintuitive to smart growth and intensification strategies and does not respond provide a contextually appropriate response that acknowledges the City's hierarchy and the unique nature of some of the City's existing and transitioning sites within neighbourhoods, as well as overall neighbourhoods. Adding a policy element to urban design matters (previously subject to guidelines) will restrict development and efficient, high-quality built forms in the midst of a Provincial housing crisis. This, and other policies noted, can also derail project timing and potentially project outcomes as fine-grain issues meant to be technically evaluated or resolved in latter processes (such as site development plan approval) are brought forward in much earlier process discussions than are necessary.

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. Specific to our Clients lands, we have concerns surrounding the definition of mid-rise buildings. The policies we see require that a mid-rise building consider the width of the street Right-of-Way onto which it fronts. This is unnecessarily restrictive and may be misinterpreted to restrict development in appropriate locations based on area or site-specific contexts such as intersections with major roads. We request that the policy definition of a mid-rise building be modified to provide as much flexibility as possible which could involve the removal of reference to the right of way widths in it's entirety.

We remind staff that flexibility in crafting land use policies over a large planning horizon need to be structured to be pragmatic as they respond to a living City with a constantly changing landscape.

We also find the following policy problematic:

*8.6.2.11 Development proposals will demonstrate compatibility and integration with surrounding land uses and the public realm by ensuring that adequate privacy, sunlight and sky views are maintained and that microclimatic conditions are mitigated.*

Policy 8.6.2.11 is concerning because it is not clear what "compatibility" means to the City and could lead to subjective or independent interpretations. In our opinion if a proponent is able to prove through technical analysis that compatibility is generally achieved with or without mitigation measures, the development proposal achieves compatibility. We question whether the City shares this opinion or if the development application reviewers are working under the assumption that compatibility could be subjective and therefore harder or if not impossible to achieve in certain circumstances where agreement cannot be reached. In the case of compatibility, it is critical that reviewers have a mutual understanding, as well as an understanding with the industry, what exactly compatibility is.

We also cite this policy in relation to the Neighbourhood policies which are found in Chapter 15 of the Draft MOP which cite ‘compatibility’ as a determinative or evaluative criteria for development, or intensification, within neighbourhoods:

*15.1.1.6 Intensification within Neighbourhoods may be considered where the proposed development is compatible in built form and scale to surrounding development, enhances the existing or planned development and is consistent with the policies of this Plan.*

Similarly, the reference to “appropriate transition” appears again in Chapter 15:

*15.1.1.7 Development will be sensitive to the existing and planned context and will include appropriate transitions in use, built form, density and scale*

We ask the Province to encourage the City to remain open-minded in their application of the Urban Design tools and guidelines available to them through the development review process to facilitate timely and productive discussions with proponents in order to determine on a contextually appropriate or area specific basis, what development is appropriate. The policy tone, with references to “may” or “will”, needs to balance the needs of the importance of potential intensification, broader housing needs, and with policies speaking to an appropriate fit in neighbourhoods.

We ask the Province to remind the City that in instances where a proponent and staff are not able to reach a mutual agreement, it often results in the matter/application being appealed, costing the an approval authority/taxpayers intensive time and resources and challenging an efficient and expedient approvals process.

#### ***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 policy to recognize that open spaces of varying forms can compliment and support a typical public space, 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 Public 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 variation and take into consideration any flexibility in designing open spaces that should be thought out based on an area context and in the context of a development proposal itself. This, again, is likely to cause time and cost issues through the development approvals process. We would also encourage the Province to modify the MOP to include a policy that would permit for Privately Owned Public Spaces as parkland contributions. Furthermore, per our review, 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 unless those City standards plan to enforce a high degree of flexibility, in response to the issues we have cited above.

Ultimately, we would request that this policy be modified to remove reference to a City Standard and adherence to same. This would enable the provision and careful context specific design of future POPS to remain flexible and continue to support the provision of open spaces of varying sizes to support the needs of residents which may vary between areas and development proposals.

## **Chapter 10, Land Use Designations**

### ***Mixed Use Lands***

We support components of the adopted Mixed Use policy framework. However, do have concerns with some specific policies.

We are concerned with Policy 10.2.6.3 which states that on lands designated Mixed Use (which, this site is currently subject to), a minimum amount of non-residential replacement Gross Floor Area (GFA) will be required based on the greater of two (2) scenarios (policy cited below).

#### *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 ha will maintain 65% of the total existing retail and service commercial Gross Floor Area (GFA) and sites equal to or greater than 5 ha will maintain 45% of the total existing retail and service commercial Gross Floor Area (GFA). Low-rise buildings intended for transition will not be included in the Gross Floor Area (GFA) calculation; and**
- b. provide a concentration of a mixture of uses that meet the needs of the local population;*
- c. work to support local access to food through building design to include or allow for a future grocery store or retail food store, in areas where there is a demonstrated need.*

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 generally contrary to best practices. Retail requirements or needs would be best evaluated on an area specific basis which can be achieved through a retail study or market needs analysis through the development application process.

We also feel this policy and its metric is premature 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 on the basis that a development proposal may not meet the metric outlined in the policy above. In our opinion, the policy should be removed in its entirety or be amended to provide flexibility. If left as written today, the overwhelming metric could result in dangerous and unappealing retail space vacancies due to oversupply and for some spaces, to effectively render valuable street frontage units unused, tarnishing the City’s vision for active street frontages and animated streetscapes.

### **Conclusion**

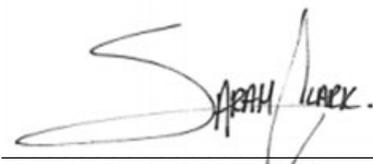
We remain concerned about the proposed policy directions outlined in the draft Mississauga Official Plan 2051 and continue to request that modifications be made, as outlined above. It is our opinion that the suggested modifications as outlined above, respond better to the general intent of Provincial policies and would make for more contextually appropriate and successful development opportunities. In our opinion, many of the proposed policies are overly and unnecessarily restrictive and would hinder the optimization of lands and potentially even end up in unintended consequences such as retail/commercial vacancies or poor proformas which frustrate the industry’s ability to build projects. We believe some of the policies, as written, specifically related to Urban Design, Housing and Retail Replacement, set a dangerous policy precedent which would hinder, if not preclude, development and redevelopment of sites outside of strategic growth areas. Policies found in Official Plan’s inherently require that flexibility in consideration of a longer-term planning horizon. The Official Plan needs to be structured and written to be flexible and pragmatic in order to appropriately respond to a living City with a constantly changing landscape.

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.



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