



THE OFFICIAL PLAN MISSISSAUGA ...AGAIN.

N.Chariandy

WHY IS THE OFFICIAL PLAN SO IMPORTANT?

Cities are creatures of the province.



Editorial Cartoon by Graeme MacKay, The Hamilton Spectator - Wednesday January 30, 2019

- The city is required to follow the Provincial Planning Statement 2024.
- The Official Plan submitted by each city can be altered by the Minister of Municipal Affairs and Housing and the city must accept.
- The city and its tax-payers bear the burden of the cost which was at \$100K in 2023
- Bill 185 limited third party appeals to the OLT which means residents don't have a say.
- In 2022, 97% of the OLT's rulings favored the developer. They are appointed by Lt. Governor on advice of the province.
- The city's only tool to fight at the OLT is their Official Plan which needs to represent the needs of its residents NOT the developers as they already have a voice and a strong supporting hand at the OLT and with the Province.

TIMELINE

THE DRAFT OFFICIAL PLAN 1.0 (Feb 2024) AND THE DRAFT OFFICIAL PLAN 2.0 (Jan 2025)

Feb 2024

s. 10.2.6.3

- Protected 100% of retail by ensuring the same amount of retail space in new develop.

s. 11.3.2.

- Redevelop. of mixed-use lands resulting in loss of retail will not be permitted unless the retail will be maintained or replaced.

Events between 1.0 and 2.0

- June 10th, 2024, new leadership in Mississauga.
- July 10th, 2024, a task force is created to meet with "18 of the most influential developers".
- Submissions of 130 comments on plan of which 127 were developers/urban planners.
- 41% of submissions from GSAI.

Jan 2025

s. 10.2.6.3

- Sites < 5 ha will maintain 65% of existing retail and those > 5 ha will maintain 45% total existing retail.

s. 11.3.2. - deleted



Helping to build healthy and sustainable sites, neighbourhoods, and communities.



2022 sub.: 5 residential buildings with heights of 10, 8, 6, 6 and 6 storeys.
7 blocks of 4-storey stacked townhouses for 703 residential units
776 square metres of commercial space.

Nov 2024 resubmission.: 5 residential building with heights of 15, 5, 7, 8 and 8 storeys.
4-storey B-to-B stacked townhouses for 709 residential units
790 square metres (8500 square feet) of commercial space (approx. 10% of prev. retail).

Appendix 3 – 2024 578 pages of comments (Majority are urban planners and developers)

Draft Mississauga Official Plan 2051 – Response to Comments Matrix

List of Acronyms					
ARU	Additional Residential Unit	MTSA	Major Transit Station Area	PPS	Provincial Policy Statement
CA	Conservation Authority	NHS	Natural Heritage System	PSEZ	Provincially Significant Employment Zone
EPA	Environmental Protection Act	OP	Official Plan	PSW	Provincially Significant Wetland
IZ	Inclusionary Zoning	OPA	Official Plan Amendment	SGA	Strategic Growth Area
LU	Land Use	PBW	Parkway Belt West	UGC	Urban Growth Centre
MOPA	Mississauga Official Plan Amendment	PMTSA	Protected Major Transit Station Area		

PART I & PART II COMMENTS					
#	Respondent	Section or Policy Reference	Nature of Comment	Comment	OP Staff Response
1	GSAI on behalf of Queenscorp (Erin Mills) Inc. for 4099 Erin Mills Parkway (letter #1, dated March 14, 2024)	<u>1</u> : 10.2.5 <u>2</u> : 10.2.5.8 <u>3</u> : 10.2.5.9 <u>4</u> : 14.1.1.4 <u>5</u> : 14.1.1.6 <u>6</u> : 14.1.1.7 <u>7</u> : 14.1.2.2 <u>8</u> : 5.2.2 & 5.2.4 <u>9</u> : 5.2.5 and Table 5.1	Policy Revision	<p>1. <u>Policy 10.2.5.10: Land Use Designations</u>: Concerns over language in policy regarding “Residential High Rise” designation. An issue for infill applications or the redevelopment of presently underutilized sites, such as this site. In the absence of OP policies prescribing maximum heights, this policy is interpreted to suggest the maximum permitted height on this site would effectively be one storey. Suggested rewording: “If the Character Area does not specify a maximum height, then the maximum height will not be greater than the tallest existing building on the property. Building heights in the Residential High Rise designation shall have a compatible massing and scale of built form that considers existing and planned context, intensification policies where applicable, and that considers the role of the subject site in the broader context of the City’s hierarchy.”</p> <p>2. <u>Policy 10.2.5.8</u>: Concerns over the language found in the “Residential Mid Rise” designation policy. This policy is restrictive and does not consider development that may be contextually appropriate. This policy has the potential to preclude sites (specifically infill sites) from developing to their full potential where it can be otherwise supported.</p> <p>3. <u>Policy 10.2.5.9</u>: appropriate - the language provides a degree of flexibility which requires that buildings meet certain policy design aspirations. Any language more restrictive is a dangerous and short-sighted method of evaluating contextually appropriate development.</p> <p>4. <u>Policy 14.1.1.4</u>: Fallout policies for implementation challenge the intent. Despite introductory sentence providing language for a full range of housing types (which are compatible), policy a) reads that housing forms should generally be within the low-rise scale. The word “generally” is acknowledged, but policy a) appears to not support the intent of 14.1.1.4 which is to explore the provision of a full range of housing options. By extension, policy a) also frustrates the intent of policy b) by being inherently restrictive on densities and built forms. The language provided in policy c), while an improvement over policies a) and b) could be modified: <u>c. Direct Encourage neighbourhood-appropriate higher density uses to locate within existing apartment sites and commercial centres, or other areas deemed appropriate through technical studies, ideally situated along Neighbourhood Arterials or as directed by Character Area policies.</u> Policy should be further revised to also include lands along “Corridors” and sites in close proximity to open spaces, commercial uses (i.e., plazas, malls) and other uses that support and are supported by residential land uses. Policy d) is entirely appropriate. Policy e) suggests certain uses require protection but the City hasn’t</p>	<p>1. The site noted in the letter at “4099 Erin Mills Parkway” is not subject to policy 10.2.5.10 as it is currently designated Mixed Use.</p> <p>2. Mid-rise designated sites are intended to offer an opportunity for an increase in height that is appropriate for the local context without the need for a lengthy process. They permit a built form of a human scale while allowing additional as of right heights ranging between 8 and 12 stories depending on character areas.</p> <p>3. Noted.</p> <p>4. Upon reviewing the bullets under this policy, we are recommending removal of 14.1.1.4.a. Language does not add to the intent of the policy.</p> <p>5. Noted, but it is important that development is consistent with the policies of the plan.</p> <p>6. Noted.</p> <p>7. Policy 14.1.2.2.a commercial uses within neighbourhoods are crucial to the completeness of these communities. In many areas within the City more, and not, less retail is needed within walking distance to residences to increase walkability and reduce car dependency. Policy 14.1.2.2.c This policy establishes an overall framework for all sites across the city, which is why it needs to be general and high-level. If additional granular and site-specific details are needed, these will be determined through the application review process.</p> <p>8. The policy is already an “encouragement” policy. Percentages are not hard requirements. Having a number stated provides a starting point for discussions between staff and developers.</p> <p>9. Policy revised to better meet its intent: “The City will plan for an appropriate range and mix of housing options and densities that contributes to Regional housing unit targets.”</p>

Draft Mississauga Official Plan 2051 – Response to Comments Matrix

Comment	OP Staff Response
<p>5. <u>Policy 14.1.1.6</u>: Modify to bring it better into conformity with overarching housing affordability objectives and goals. <i>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 generally consistent with the policies of this Plan.</i> (addition of “generally” to soften language/increase flexibility).</p>	<p>5. Noted, but it is important that development is consistent with the policies of the plan.</p>
<p>7. <u>Policy 14.1.2.2</u>: Concerning – Policy a) overly cautious and rigid. Requiring a 1:1 replacement of commercial floor space is extreme and can be detrimental to the optimization of available lands. Policy should be removed or reworded: <i>a. maintain the same an adequate amount of commercial floor space if deemed appropriate through a market study</i>; Policy c) is problematic and inappropriate. One-size-fits-all policies could be contrary to growth and be a dangerous precedent for development. Policies in section 4.1.3 Residential are more suitable to regulate building heights within Neighbourhoods.</p>	<p>7. Policy 14.1.2.2.a commercial uses within neighbourhoods are crucial to the completeness of these communities. In many areas within the City more, and not, less retail is needed within walking distance to residences to increase walkability and reduce car dependency. Policy 14.1.2.2.c This policy establishes an overall framework for all sites across the city, which is why it needs to be general and high-level. If additional granular and site-specific details are needed, these will be determined through the application review process.</p>
<p>8. <u>Policy 5.2.2 & 5.2.4: Affordable Housing</u>: While diversification in unit types should be encouraged, this should not be a requirement set out in the Official Plan. Suggested modification to policy 5.2.4.: <i>“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 consider a lower diversification of housing types and sizes reduce these percentages where development is providing...”</i> If percentage is to remain, request that policy be amended to encourage a reduced percentage of family-sized units to be provided.</p>	<p>8. The policy is already an “encouragement” policy. Percentages are not hard requirements. Having a number stated provides a starting point for discussions between staff and developers.</p> <p>This letter dated March 2024 was not disclosed to the residents until a year later March 2025, making it difficult to respond to.</p>

Appendix 4 – 2025 266 pages of comments (Majority are urban planners and developers)

b.5

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#	Respondent	Comment	OP Staff Response
1	Letter from Davis Howe for Kaneff_2300 Confederation Pkwy	Concerns over exclusion from height increases in schedules 8L	<ul style="list-style-type: none"> - As part of MOP 2051, the review of MTSA heights was undertaken to determine if there was planning merit for height increases based on criteria. This evaluation resulted in changes that allow higher heights mostly for areas adjacent to higher order transit corridors or stations. It is necessary as heights are examined to ensure proper transition outward from the highest heights to adjacent neighbourhoods. - Additional height can be achieved without amendment to the plan through policies compensating for IZ units and above-ground commercial uses. - At this time, it has been determined that the height within the subject site is appropriate as the PMTSA still meets the minimum density required and the height allows proper transition to the adjacent neighbourhood.
2	Letter from Davies Howe for Kaneff_2170 Sherobee Rd	Concerns over exclusion from height increases in schedules 8L (request increase from 25 storeys to 35 storeys)	<ul style="list-style-type: none"> - As part of MOP 2051, the review of MTSA heights was undertaken to determine if there was planning merit for height increases based on criteria. This evaluation resulted in changes that allow higher heights mostly for areas adjacent to higher order transit corridors or stations. It is necessary as heights are examined to ensure proper transition outward from the highest heights to adjacent neighbourhoods. - Additional height can be achieved without amendment to the plan through policies compensating for IZ units and above-ground commercial uses. - At this time, it has been determined that the height within the subject site is appropriate as the PMTSA still meets the minimum density required and the height allows proper transition to the adjacent neighbourhood.
3	Letter from MHBC for TCPL	Revisions to pipeline policies in Section 18.19 -Infrastructure and Utilities	<ul style="list-style-type: none"> - Policy have been updated as appropriate.
4	Letter from Trillium Health Partners for Mississauga Hospital	Concerns over heights and conflicts with heliport	<ul style="list-style-type: none"> - Policy 13.6.5.1 was updated to indicate that Trillium Health Partners will be circulated on development proposals within the vicinity of the Mississauga Hospital and that any proposed buildings should not interfere with or conflict with the functioning of the hospital heliport. This may result in building heights that are lower than maximums otherwise permitted by the Plan.
5	Email from Biglieri Group_5060 & 5150 Spectrum Way	Requesting clarification related to the land use permissions for the properties	<ul style="list-style-type: none"> - A meeting with the Biglieri Group and Landowners was held on February 10, 2025 where the extent of the Special Site #1 area was clarified along with the permitted uses within the Business Employment designation as it relates to this property.
6	Email from CN Rail	Request the addition of and strengthening of policies related to railway operations, specifically regarding developments in proximity to existing rail facilities.	<ul style="list-style-type: none"> - Definitions are in the PPS and can be found in the Glossary - Concerns already addressed through policies (please see policies 4.13.4.3, 7.2.4 and 4.5.4.7)
7	Letter from MGP on behalf of 325 Burnhamthorpe Rd W	Request the maps in Chapter 12 reflect OPA 161	<ul style="list-style-type: none"> - Maps have been updated to reflect MOPA 161
8	Letter from Goodmans on behalf of First South Common	Affordable housing policies (14.2.11.5.1 and 14.2.11.5.3 to 14.2.11.5.6 and 14.2.6.10.7) are beyond the City's jurisdiction according to OPA 115 and should be removed. If 14.2.6.10.7 is not removed, the FSI should be updated to 3.75 FSI as per policy 14.2.11.3.4	<ul style="list-style-type: none"> - The City has been granted leave to appeal the OLT Decision to Divisional Court, and will be seeking a stay of the OLT Decision. The new OP will reflect the outcome of the Divisional Court proceedings - Changes to reflect tribunal decision have been incorporated into the new OP
9	Letter from Goodmans on behalf of First Capital Meadowvale	Affordable housing policies (14.2.11.5.1 and 14.2.11.5.3 to 14.2.11.5.6 and 14.2.6.10.7) are beyond the City's jurisdiction according to OPA 115 and should be removed. If 14.2.6.10.7 is not removed, the FSI should be updated to 3.75 FSI as per policy 14.2.11.3.4	<ul style="list-style-type: none"> - See response to Letter #8

NUMBER OF RESIDENT COMMENTS IN PLAN

- In **2023**, the 4099 opposition group had 2876 signatures opposing Queensncorp development. This was presented to City Council. Where did that go?
- **2024**: 130 submission/comments of which 3 are from Conservation Halton and the rest are from developers and urban planners with GSAI making up 53 submissions. Where are residents' letters and submissions?
- **2025: Hallelujah! We are found!** We are a foot note under our resident's association letter and our **53 letters** are a one-liner (with similar concerns) and not published,



15	Letter from Erin Mills South Residents Association regarding 4099 Erin Mills (52 letters of similar concern regarding these policies were also received from members of the public)	Request that policy 10.2.6.3 (a) be deleted and policy 11.3.2 be restored from the February 2024 draft version of the Official Plan	<div>- Policy 11.3.2 has been deleted as it was not clear/specific enough to ensure an adequate amount of non-residential space is preserved after redevelopment. Instead, policy 10.2.6.3 has been introduced to provide certainty on that front. This new policy strikes a balance between the need for non-residential uses (like retail) and the need for additional housing in the City. The certainty that this policy brings helps ensure future development provides much needed services and retail to current and future residents. It works as well to ensure these communities are walkable by providing local destinations within the community. These policies do not currently exist in the in-force plan.</div> <div>- 10.2.6.3 in its January 2025 version does provide for a balance between increasing housing throughout the</div>
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HOW DO WE FIGHT:

- THE PROVINCE
- THE DEVELOPERS
- AND NOWTHE CITY?

THE PROVINCIAL PLANNING STATEMENT(PPS) AND THE OFFICIAL PLAN (OP):

The PPS sets policy while the OP sets out how the city implements that policy ensuring consistency and alignment with the PPS.

ASK THE QUESTIONS.

What happens when there is a disconnect between the PPS and the OP?

The Minister of Municipal Affairs and Housing takes his sharpie and corrects the OP. The Province has the final say.

What happens when the Minister is at odds with the Provincial Planning Statement when he corrects the OP?

There may be room for litigation on the City's side as the Provincial Planning Statement is approved by the Lt.Governor and came into effect on Oct 2024.



THE PROVINCIAL PLANNING STATEMENT(PPS) AND THE OFFICIAL PLAN (OP):

PPS – Public Service facilities specifically, hospitals

- Planning authorities should support ... Complete Communities by accommodating an appropriate range and mix of land uses, housing options, transportation options *with multimodal access, employment, public service facilities...* parks, open spaces to meet long term needs.

(OP)- Public Service facilities specifically, hospitals

- Complete communities defined as building healthy, walkable, beautifully designed and inspiring environment that contribute to a sense of community identity, cultural expression, well-being and inclusiveness.

THE PROVINCIAL PLANNING STATEMENT(PPS) AND THE OFFICIAL PLAN (OP):

How is the city addressing the current needs of Public service facilities and infrastructure.

PPS – Infrastructure and public services facilities

- Planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth, so they are available to meet **CURRENT** and projected needs.
- Infrastructure and public service facilities should be strategically located to support the effective and efficient delivery of *emergency management services* and to ensure the *protection of public health and safety*.
- Planning authorities should establish and implement *phasing policies* to ensure that development ...is orderly and aligns with *timely* provision of infrastructure and public service facilities.

(OP)- Infrastructure and public service facilities

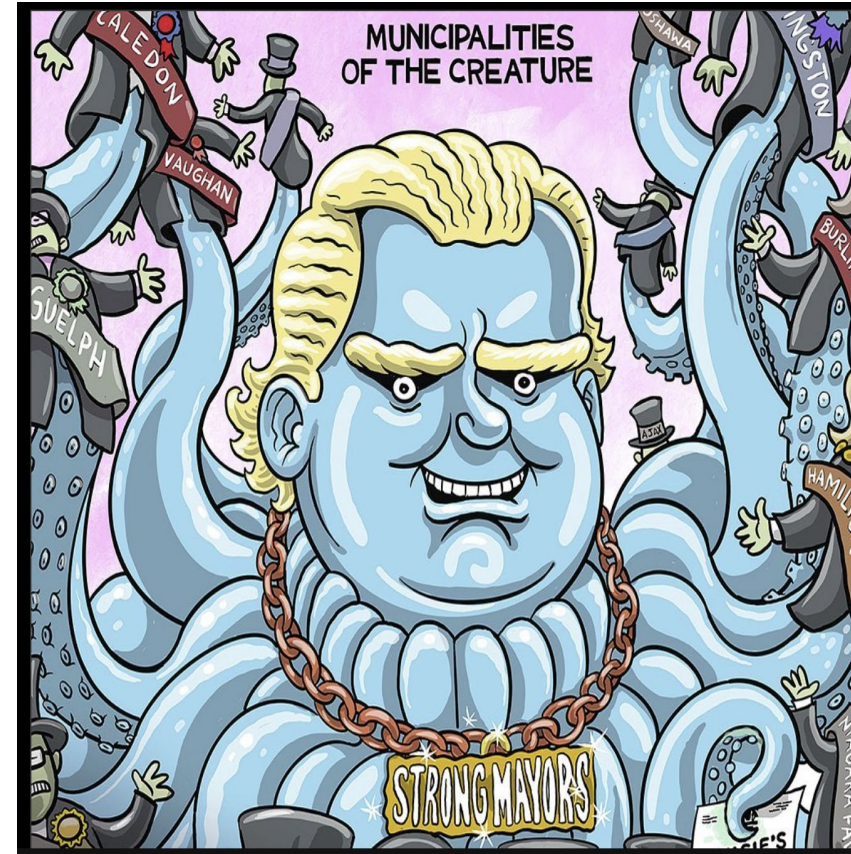
- Green infrastructure
- Cultural infrastructure
- Transit infrastructure
- Community infrastructure and Public Service facilities are all referred to in the Official Plan.
- BUT there is *no discussion* on plans to meet **CURRENT** needs before building new homes.
- No plan for implementing phasing policies for the timely provision of infrastructure and public service .
- Let us talk about a public service facility – Credit Valley Hospital..

WHERE WE ARE NOW

Cities are creatures of the province or the politician? Are our politicians above the law?



Editorial Cartoon by Graeme MacKay, The Hamilton Spectator – Wednesday January 30, 2019



mackaycartoons

Are City Council and the Province bound by the Provincial Regulations and orders in Council? **YES, THEY ARE!**

POLITICAL CLIMATE CHANGE

February 28, 2025 by Graeme MacKay



- The Conservative party swept every riding in Mississauga in this last election.
- The ave. margin for the 6 Mississauga ridings was 1,729 votes. In Erin Mills, the incumbent won by **23** votes.
- Eagle Ridge Poll where the Liberal candidate had 122 votes to the Conservatives 116, there were **515** unmarked ballots!
- Eagle Ridge was sending a message to all levels of Government.
- The election was not a referendum on Ford and housing but on Trump and tariffs.
- If you take away 4099 Erin Mills supermarket, dentist, bank - what is the purpose of a walkable community if I have nothing to walk to? We need our retail now as Amazon just got way too expensive.
- Gentle reminder to GSAI and Queesncorp, Erin Mills almost went red to fight your development at 4099 Erin Mills. Take note. We see your 12% retail.

LEGAL CHALLENGES



ontario.ca/PPS

Provincial Policy Statement, 2020

Under the *Planning Act*

- Latin phrase for **listen to the other side**.
- The *Audi alteram partem principle*, is a rule of natural justice, an ancient common law maxim, requiring that courts provide an opportunity to persons WHO are AFFECTED by a court's decision to be heard including full and informed participation.
- While the OLT is a tribunal not a court, the right for third party appeal was taken away by Bill 185. Loss of *that* right to affected citizens, results in a breach of natural justice.
 - A. (L.L.) v. B. (A.), 1995, Fontaine v. Canada (Attorney General), 2018, Knapman v. Board of Health , 1954
- The PPS 1.1.1(g) Healthy, liveable and safe communities are sustained by ensuring the necessary *infrastructure* and *public service* are or will be able to meet *current* and projected needs.
- The OP talks about green, cultural, community infrastructure and public services i.e. hospitals or the health provision crisis is ignored.
- If the Province needs to provide health care services, shouldn't the City require that they provide those services or at least have a plan *before* adding to our population?

4099 OPPOSITION GROUP - NOT NIMBY BUT FUCRM !

FUCRM (Fed Up Canadian, Resident of Mississauga)



Graeme MacKay: Canada's federalism encampment

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- No new homes until infrastructure and Public Service Facilities meets the needs of *current* residents.
- Jan 2025, the City temporarily **lowered development charges** by 50% , equating to the single largest reduction by any municipality in Ontario. **Deferred development charges** until first occupancy and temporarily **eliminated development charges** on 3-bedroom units.
Development charges pays for infrastructure.
- We need LESS traffic, MORE family doctors, MORE beds/hospitals **NOT** more units which will compound the infrastructure issues we currently have.
- Consider an OP that reflects the PPS so we can have a legal standing in the fight against overzealous developers.
- City Council should consider using their arsenal of lawyers to protect rights of third parties and find a way for their residents, the people who voted them into office to have a voice at the OLT.

ELBOWS UP!



 The Hamilton Spectator

Former Canadian PM Jean Chretien excerpt from Globe and Mail

And that leads me to my second message, to all our leaders, federal and provincial, as well as those who are aspiring to lead our country: Start showing that spine and toughness. That's what Canadians want to see – what they need to see. It's called leadership. You need to lead. Canadians are ready to follow.

THANK YOU

If you are lawyer, willing to fight the good fight up to the Supreme Court for love of country (because we have no \$)...my email is below.

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