

April 14, 2025

File No.: 557197-325

Sent Via E-mail

City of Mississauga
300 City Centre Drive
Mississauga, ON
L5B 3C1

Attention: Members of City Council

Dear Members of Council:

Re: New Mississauga Official Plan (April 2025)
April 16, 2025, Council Meeting: Item 17.11
City File: CD.02-MIS
Choice Properties REIT

We are counsel for Choice Properties REIT and all affiliated corporations and entities (collectively, “**Choice**”) that own the properties in the City of Mississauga specifically identified on **Schedule “A”** (collectively, the “**Choice Lands**”).

Choice has actively participated in the Mississauga Official Plan Review and provided comments to the City through our office on March 21, 2025 (see the letter attached as **Schedule “B”**), and through its land use planning consultants, Zelinka Priamo. These letters are attached and set out our client’s overarching concerns with the Mississauga Official Plan 2025 (the “**New OP**”).

We are writing on behalf of Choice to draw Council’s attention to concerns with the New OP “employment areas” policies. Choice owns 3050 Argentia Road (the “**Argentia Lands**”). The Argentia Lands are arbitrarily being added to the City’s “employment areas”. We oppose the inclusion of the Argentia Lands in the “employment areas” designation. Choice urges City Council to remove the Argentia Lands from its “employment areas” in the New OP and to direct City Staff to engage in a more detailed analysis of the City’s “employment areas” to determine, on a site-by-site basis, which lands should remain in “employment areas” and which lands should be removed.

The “employment area” policies in the New OP undermine the Province’s revisions to the definition of “employment area” and “area of employment” in the *Planning Act* and the *Provincial Planning Statement, 2024* (the “**PPS 2024**”), respectively. In this regard, the New OP includes lands in the City’s “employment areas” that have uses which are no longer permitted in “employment areas” by the *Planning Act* and the PPS 2024. Instead of removing these lands from “employment areas”, the City is adopting transition policies that will effectively “freeze” these lands in “employment areas” by permitting uses that were “lawfully established” on October 20, 2024. As a result, we understand that any interim redevelopment which

proposes uses that are not permitted in “employment areas” on lands that are governed by the transition policies would be subject to the stringent rules and policies related to the removal of lands from “employment areas”. This is not a proper land use planning outcome; it is inconsistent with the PPS 2024, which directs municipalities to assess the appropriateness of their employment lands, and it will complicate the land use planning process and create uncertainty for landowners in terms of the permissions that apply to their lands.

The City’s approach to “employment areas” is especially problematic for the Argentia Lands, which are proposed to be redesignated from the existing “Mixed Use” designation to “Mixed Employment” on Schedule 7. Choice is strongly opposed to this arbitrary and unwarranted redesignation. The Argentia Lands are currently developed with a foodstore (Real Canadian Superstore) and there are existing retail and commercial uses located to the west, north, and east, with an existing low-density residential community to the south. In other words, the Argentia Lands are located in an area of the City that is characterized as a retail/commercial shopping node and developed with several retail uses of various sizes, including big box stores. The Argentia Lands are not occupied by industrial/manufacturing/warehouse uses, are not surrounded by lands that are occupied by such uses, will not be permitted to have such uses, and do not form an integral part of the City’s “employment areas”. Designating the Argentia Lands as part of the City’s “employment areas” is directly contrary to Provincial direction, does not constitute good land use planning, and is inconsistent with the PPS 2024.

Please ensure that we are notified of any meetings and decisions with respect to the New OP And related matters.

Yours truly,

Dentons Canada LLP



Katarzyna Sliwa
Partner

KS/mr

Copy: Client
Rob MacFarlane, Zelinka Priamo

Schedule "A"

Municipal Address	Registered Owner
170 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
171 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
190 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
2050 Drew Road	CANADIAN PROPERTY HOLDINGS INC.
210 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
2155 Drew Road	CANADIAN PROPERTY HOLDINGS INC.
260 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
280 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
281 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
300 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
301 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
320 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
360 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
361 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
380 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
420 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
580 Secretariat Court	CP REIT ONTARIO PROPERTIES LIMITED
6290 Kestrel Road	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
6611 Edwards Boulevard	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
6670 Excelsior Court	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.

6680 Excelsior Court	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
6681 Excelsior Court	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
6815 Columbus Road	CANADIAN PROPERTY HOLDINGS INC.
6895 Columbus Road	CANADIAN PROPERTY HOLDINGS INC.
690 Gana Court	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
1115 Cardiff Boulevard	CP REIT ONTARIO PROPERTIES LIMITED
6920 Columbus Road	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
6956 Columbus Road	CANADIAN PROPERTY HOLDINGS INC.
7430 Pacific Circle	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
1250 South Service Road	CP REIT ONTARIO PROPERTIES LIMITED
2901-2925 Eglinton Avenue West	CANADIAN PROPERTY HOLDINGS (WINSTON CHURCHILL ONE) INC. CANADIAN PROPERTY HOLDINGS (WINSTON CHURCHILL TWO) INC.
2933 Eglinton Avenue West	CANADIAN PROPERTY HOLDINGS (WINSTON CHURCHILL ONE) INC. CANADIAN PROPERTY HOLDINGS (WINSTON CHURCHILL TWO) INC.
3045 Mavis Road / 3020 Elmcreek Road	CP REIT ONTARIO PROPERTIES LIMITED
3050 Argentia Road	CP REIT ONTARIO PROPERTIES LIMITED
3050 Vega Boulevard	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
3055 Vega Boulevard	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
5010 Glen Erin Drive	CP REIT ONTARIO PROPERTIES LIMITED
2095 Meadowvale Boulevard	CP REIT ONTARIO PROPERTIES LIMITED



ZELINKA PRIAMO LTD
A Professional Planning Practice

VIA EMAIL

March 30, 2022

City Clerk
Attn: Megan Piercey, Legislative Coordinator, Legislative Services
300 City Centre Drive
Mississauga, ON
L5B 3C1

Dear Ms. Piercey:

Re: New Draft Official Plan Bundle 1 Policy (February 2022)
City File: CD.02-MIS
Preliminary Comments on Behalf of Choice Properties REIT
Multiple Properties
Mississauga, Ontario
Our File: CHO/MIS/20-01

We are the planning consultants for Choice Properties REIT ("Choice") regarding the Mississauga Official Plan Review. Choice owns a number of properties throughout Mississauga, including the following (referred to as the "Choice Lands"):

- 170 Ambassador Drive;
- 171 Ambassador Drive;
- 190 Ambassador Drive;
- 2050 Drew Road;
- 210 Ambassador Drive;
- 2155 Drew Road;
- 260 Ambassador Drive;
- 280 Ambassador Drive;
- 281 Ambassador Drive;
- 300 Ambassador Drive;
- 301 Ambassador Drive;
- 320 Ambassador Drive;
- 360 Ambassador Drive;
- 361 Ambassador Drive;
- 380 Ambassador Drive;
- 420 Ambassador Drive;
- 580 Secretariat Court;
- 6290 Kestrel Road;
- 6611 Edwards Boulevard;
- 6670 Excelsior Court;
- 6680 Excelsior Court;
- 6681 Excelsior Court;

- 6815 Columbus Road;
- 6895 Columbus Road;
- 690 Gana Court;
- 6920 Columbus Road;
- 6956 Columbus Road;
- 7430 Pacific Circle;
- 1250 South Service Road;
- 2933 Eglinton Avenue West;
- 3045 Mavis Road / 3020 Elmcreek Road;
- 3050 Argentia Road;
- 3050 Vega Boulevard; and
- 5010 Glen Erin Drive.

At this time, in general Choice does not have specific redevelopment intentions for the above sites, and seeks to maintain existing operations as well as opportunities for minor infill and expansion.

We note that Choice has ongoing active appeals for both OPA 115 and 95. We seek clarification as to how the Official Plan Review process will align with these ongoing appeals.

On behalf of Choice, we have been monitoring the Mississauga Official Plan Review process. We reviewed the Bundle 1 Draft Official Plan (dated February 2022) in the context of the Choice Lands. Based on our review of the Draft Official Plan:

- According to Schedule 1 City Structure:
 - 170 Ambassador Drive – “General Employment Area”;
 - 171 Ambassador Drive – “General Employment Area”;
 - 190 Ambassador Drive – “General Employment Area”;
 - 2050 Drew Road – “General Employment Area”;
 - 210 Ambassador Drive – “General Employment Area”;
 - 2155 Drew Road – “General Employment Area”;
 - 260 Ambassador Drive – “General Employment Area”;
 - 280 Ambassador Drive – “General Employment Area”;
 - 281 Ambassador Drive – “General Employment Area”;
 - 300 Ambassador Drive – “General Employment Area”;
 - 301 Ambassador Drive – “General Employment Area”;
 - 320 Ambassador Drive – “General Employment Area”;
 - 360 Ambassador Drive – “General Employment Area”;
 - 361 Ambassador Drive – “General Employment Area”;
 - 380 Ambassador Drive – “General Employment Area”;
 - 420 Ambassador Drive – “General Employment Area”;
 - 580 Secretariat Court – “General Employment Area”;
 - 6290 Kestrel Road – “General Employment Area”;
 - 6611 Edwards Boulevard – “General Employment Area”;
 - 6670 Excelsior Court – “General Employment Area”;
 - 6680 Excelsior Court – “General Employment Area”;
 - 6681 Excelsior Court – “General Employment Area”;
 - 6815 Columbus Road – “General Employment Area”;
 - 6895 Columbus Road – “General Employment Area”;
 - 690 Gana Court – “General Employment Area”;

- 6920 Columbus Road – “General Employment Area”;
- 6956 Columbus Road – “General Employment Area”;
- 7430 Pacific Circle – “General Employment Area”;
- 1250 South Service Road – “Neighbourhood (Character Area Subject to Local Area Plan)”;
- 2933 Eglinton Avenue West – “Major Node”;
- 3045 Mavis Road / 3020 Elmcreek Road – “Neighbourhood (MTSA)”;
- 3050 Argentia Road – “Office Centre Employment Area (Planned MTSA)”;
- 3050 Vega Boulevard – “General Employment Area (MTSA)”;
- 5010 Glen Erin Drive – “Major Node”.

In our submission, the approach to release policies in ‘bundles’ does not provide sufficient information for the planning context of sites for a fulsome review. A set of policies is an incomplete picture of how the Official Plan will affect lands. The Official Plan states that the Official Plan is to be read in its entirety, which bundle policies do not allow for: *“To understand the planning rationale and policy objectives of Mississauga Official Plan 2051... it should be read in its entirety and all relevant text, tables, and schedules are to be applied to each situation. The uses listed in Part 2 of this Plan will be permitted provided that all other policies of this Plan are met”*. It is important that residents and land owners be provided the full context of the Official Plan to review. We suggest that the full set of Official Plan policies be released for public consideration, rather than as a series of bundles. We may provide additional comments on the first set of draft policies as future ‘bundles’ are made available for review.

At this time our preliminary comments for the Draft Official Plan are as follows:

- Policy 3.4.1 indicates that “...Changes to the urban hierarchy will not be permitted unless considered through an Official Plan update or review. The reasons for this include the following...” This Policy has been expanded from the in-effect Official Plan to also apply to the Policies of the City Structure, which is a significant revision that, in our review, changes the intent of the policy. Similar policy is provided in 15.4.4 and 15.4.5 of the Draft Official Plan. We are concerned with the rigidity of the policy related to the urban structure, and that site specific amendments to the Official Plan are not to be considered as it relates to these policies. The policies that will not be considered as site specific amendments include min/max height and density permissions. In our submission, the Official Plan should continue to allow a site specific application to be reviewed on the merits of that application. Further, the implications for this provision cannot yet be properly evaluated, given that the full Official Plan has not yet been released for review. It remains unclear the proposed height/density permissions for certain lands, given that the policies have not yet been released. We strongly encourage the City to reconsider the rigidity of such draft policy and suggest that revisions be undertaken. For context, the Growth Plan allows for the removal of employment lands from an employment area in certain instances, outside of a Municipal Comprehensive Review (Policy 2.2.5.10), however the draft policy would not afford a similar degree of flexibility;
- Policy 4.2.76 states “The minimum parkland provision is equivalent to: 12% of the total area of the Strategic Growth Areas”. In our submission, the draft policy is unclear. We presume that the parkland provision in this case is only to apply to Strategic Growth Areas, but the draft policy does not reflect this. Further, it is unclear how the 12% is to be implemented and what this number is derived from. We seek clarification that 12% of parkland is not required on a site specific basis

- for development in Strategic Growth Areas. Further, if not on a site specific basis, we request clarification if the 12% rate to be measured area-wide, across all Strategic Growth Areas or for each individual Strategic Growth Area. Revisions to the draft policy would provide clarification;
- Policy 8.3.5.2 states “Privately owned publically accessible spaces will be designed in accordance with the city’s standards for public open spaces.” We seek confirmation as to what those standards are. It is unclear if the standards are in the Official Plan policy or if those standards are found elsewhere;
 - Policy 8.5.1 speaks to low rise buildings but only refers to residential type uses. We seek clarification that the low-rise building typology does not apply to non-residential uses;
 - Policy 8.5.1 defines tall buildings and high-rise buildings. The distinction between the two building types is unclear in our review;
 - Policy 8.5.1.2 states “Low-rise buildings shall be designed to respond to context, and Character area policies, and shall integrate architecturally with the surrounding context”. It is difficult to comment on this policy without understanding the full context of the Official Plan and what is proposed by the Character Area policy. In addition, the term “Character Areas” is referenced as both “Character Areas” and “Character areas” throughout the draft policies. In our submission, the “shall” requirement appears overly prescriptive in this instance. We are of the opinion that a degree of flexibility should be maintained/introduced as it relates to specific site design official plan policy;
 - Policies 8.5.1.3 and 8.5.1.15 both speak to the siting of tall buildings to enhance the skyline. In our submission, Policy 8.5.1.3 can be removed as it appears redundant;
 - Policy 8.5.2.7 states “Proposed high-rise buildings in areas where two or more high-rise buildings exist within the immediate context shall relate to the surrounding buildings and provide for appropriate height transition and separation distances.” We seek clarification as to what constitutes ‘immediate context’. We suggest replacing ‘shall’ with ‘should’ to allow for a degree of site design flexibility;
 - Policy 8.5.2.17 states “A mix of building types is encouraged on sites that can accommodate more than one building...” The Official Plan speaks to three types of buildings: low-rise; mid-rise; and high-rise. We seek clarification if sites that can accommodate more than one building are intended to provide a mix of low, mid, and high rise buildings. This may be challenging in consideration of the numerous official plan policies related to transition in height. We suggest revisions to this policy for clarification;
 - 8.5.3.12 “To achieve environmentally sustainable development, the City may use the provisions of Section 41 of the *Planning Act* to secure the following sustainable and resilient design features in development that address exterior building and site matters as may be set out in the city’s Green Development Standards:...i) Enhanced human health by increasing opportunities for physical activity, mitigating impacts of air pollution, requiring passive cooling strategies such as operable windows and shade to mitigate against extreme heat and promoting access to food.” It is unclear how human health will be a design feature secured through site plan. We suggest changes to the draft policy to provide clarification in what is intended by this policy;
 - Policy 8.5.3.13 states “Site development will be required to: ... f. preserve mature trees on public and private lands”, which is a change from the existing Official Plan

- by replacing "significant" with "mature". In our submission, the policy should remain unchanged since significant is a more appropriate descriptor than mature. The term "mature" may relate to a much broader scope, and the policy may require an Official Plan Amendment for the removal of a "mature tree", as written;
- Policy 8.5.3.15 states that "External lighting for site development *will* [emphasis added]: ... c. not infringe on adjacent properties", which is a change from the existing Official Plan by replacing 'should' with 'will'. In our submission, the policy should remain unchanged, as a degree of light spillover is anticipated as a result of development, since it is difficult to design lighting with zero light levels at all property lines. It would be inappropriate to require an Official Plan Amendment to allow a modest amount of light infringement through site design;
 - Policy 8.5.4.1 states that "Parking *will* [emphasis added] be located underground, internal to the building or to the rear of buildings", which is a change from the existing Official Plan by replacing 'should' with 'will'. In our submission, the policy should remain unchanged. In particular, Policy 8.5.4.1 does not allow for any new exterior surface parking areas except to the rear of buildings, and would require an Official Plan amendment to proceed, which in our opinion is overly prescriptive. Further, Policy 8.5.4.2 contemplates new surface parking areas; and
 - Policy 19.15.4.3d) states that development applications will satisfactorily address the "demonstration of no adverse impacts on the development or functioning of neighbouring lands". Similar to our comment on Policy 8.5.3.15, certain external impacts (such as shadowing or light spillover) are anticipated as a result of development. We suggest that this policy be revised to expect that developments minimize negative impacts, where possible.

We will continue to review the Draft Official Plan and subsequent revisions, and may provide further comment if necessary.

We would welcome the opportunity to meet with Staff to discuss our comments further.

Please kindly ensure that the undersigned is notified of any further meetings with respect to this matters as well as Notice of applicable decisions. We request that a copy of this letter be provided to Council prior to any decisions being made on this item.

Yours very truly,

ZELINKA PRIAMO LTD.



Rob MacFarlane, MPL, MCIP, RPP
Senior Planner

cc. Client (via email)
Official Plan Review Team (via email)



ZELINKA PRIAMO LTD

A Professional Planning Practice

VIA EMAIL

August 8, 2022

City Clerk

Attn: Megan Piercey, Legislative Coordinator, Legislative Services
300 City Centre Drive
Mississauga, ON
L5B 3C1

Dear Ms. Piercey:

Re: New Draft Official Plan Bundle 2 Policies (June 2022)
City File: CD.02-MIS
Preliminary Comments on Behalf of Choice Properties REIT
Multiple Properties
Mississauga, Ontario
Our File: CHO/MIS/20-01

We are the planning consultants for Choice Properties REIT ("Choice") regarding the Mississauga Official Plan Review process. Choice owns a number of properties throughout Mississauga, including the following (referred to as the "Choice Lands"):

- 170 Ambassador Drive;
- 171 Ambassador Drive;
- 190 Ambassador Drive;
- 2050 Drew Road;
- 210 Ambassador Drive;
- 2155 Drew Road;
- 260 Ambassador Drive;
- 280 Ambassador Drive;
- 281 Ambassador Drive;
- 300 Ambassador Drive;
- 301 Ambassador Drive;
- 320 Ambassador Drive;
- 360 Ambassador Drive;
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- 6680 Excelsior Court;
- 6681 Excelsior Court;
- 6815 Columbus Road;
- 6895 Columbus Road;
- 690 Gana Court;

- 6920 Columbus Road;
- 6956 Columbus Road;
- 7430 Pacific Circle;
- 1250 South Service Road;
- 2933 Eglinton Avenue West;
- 3045 Mavis Road / 3020 Elmcreek Road;
- 3050 Argentia Road;
- 3050 Vega Boulevard; and
- 5010 Glen Erin Drive.

At this time, Choice does not have any specific redevelopment intentions for the above sites, and seeks to maintain existing operations as well as opportunities for minor infill and expansion. We note that Choice has ongoing active appeals for both OPA 115 and 95. We continue to seek clarification as to how the Official Plan Review process will align with these ongoing appeals.

On behalf of Choice, we have continued monitoring the ongoing review process for the City of Mississauga's Official Plan. We reviewed the Bundle 1 policies release, and provided comments to the City dated March 30, 2022.

We continue to note that the City's approach to release draft policies in 'bundles' has not provided sufficient information for the planning context of sites for a fulsome review. This approach continues to leave residents and landowners with an incomplete picture as to how the new Official Plan will affect lands within the City.

We have reviewed the Bundle 2 policies in the context of the Choice Lands. At this time, our preliminary comments are as follows:

- Policy 6.3.3 introduces the concept of a Cultural District, and the Official Plan notes in subsequent sections what constitutes a Cultural District. Cultural Districts exist in specific areas of the City, however the Official Plan does not specifically identify the boundaries for these areas, and whether the Cultural District consists of the entire area or only portions of the specified areas. In our submission, a map of the Cultural Districts will assist in interpretation;
- Policy 6.4.1.9 empowers the City to, "identify and conserve intangible cultural heritage." It is unclear what would constitute 'intangible' cultural heritage for which the City is proposing to identify. We suggest that the policy be revised to provide clarity as to what constitutes "intangible cultural heritage," to provide some certainty to landowners and to avoid reactionary heritage designations. In particular, we note the Province's Housing Affordability Task Force Recommendation 16 related specifically to prohibiting bulk-listing of heritage assets. We are concerned with the vagueness and potential scope of Policy 6.4.1.9 in light of the Housing Affordability Task Force recommendation, and suggest that revisions be considered;
- Policy 6.4.2 provides a list of cultural heritage landscapes, inclusive of Heritage Act-protected landscapes, however no associated figure/schedule has been provided for review. Further, there is reference to the City's Heritage Conservation Districts being on the land use schedule, however the schedule has not been made available for review. We are concerned that the implications for the related policy cannot yet be properly evaluated, given that the full Official Plan has not yet been released for review;

- Policy 6.4.4.1 states that an archaeological assessment must be completed to determine archaeological potential in advance of development. We suggest revised wording be considered, so as to clarify the scope of what properties would be subject to investigation for potential, as the current language suggests all properties must undergo this process in advance of development. In particular as it relates to Policy 6.4.3.1, which requires that First Nations and Indigenous Communities be consulted on all archaeological assessments (which would then extend to all proposals for development, likely representing an overwhelming number of applications);
- Policy 7.3.2.5 identifies that, "Minor adjustments to the basic right-of-way widths and alignments for streets may be made without further amendment to this Plan..." We seek clarification as to what would constitute a "minor" adjustment, to afford certainty to landowners in site design and anticipated road dedications;
- Policy 8.7.1d) would require electric vehicle ready parking as part of all off-street parking facilities and new development. We suggest adding "where appropriate" to the end of this policy to reflect conditions that may not warrant EV ready parking;
- Policy 9.1.5 notes that the conversion of employment lands to permit non-employment uses is prohibited, and that conversions may only be considered through the Region of Peel municipal comprehensive review process. The Province's Growth Plan allows for the conversion of certain employment lands (includes lands not located within a Provincially Significant Employment Zone) outside of a municipal comprehensive review process (Policy 2.2.5.10). We encourage the municipality to consider policy that would allow for the redesignation of employment lands to non-employment uses, consistent with the Growth Plan criteria. In particular, as there are employment areas that appear to overlap with proposed Major Transit Station Areas; and
- The numbering of policies 10.1.8 – 10.1.10 should be corrected for inconsistencies within Section 9.

We will continue to review the Draft Official Plan releases and subsequent revisions, and may provide further comment on behalf of our client if necessary.

We would welcome the opportunity to meet with Staff to discuss our comments further.

Please kindly ensure that the undersigned is notified of any further meetings with respect to this matter, as well as Notice of applicable decisions. We request that a copy of this letter be provided to Council prior to any decisions being made on this item.

Yours very truly,

ZELINKA PRIAMO LTD.



Rob MacFarlane, MPL, MCIP, RPP
Senior Planner

cc. Choice Properties REIT (via email)
Official Plan Review Team (via email)

VIA EMAIL

July 31, 2023

City Clerk
Attn: Megan Piercey, Legislative Coordinator, Legislative Services
300 City Centre Drive
Mississauga, ON
L5B 3C1

Dear Ms. Piercey:

Re: New Draft Official Plan Bundle 3 Policies (May 2023)
City File: CD.02-MIS
Preliminary Comments on Behalf of Choice Properties REIT
Multiple Properties
Mississauga, Ontario
Our File: CHO/MIS/20-01

We are the planning consultants for Choice Properties REIT ("Choice") regarding the Mississauga Official Plan Review process. Choice owns a number of properties throughout Mississauga, including the following (referred to as the "Choice Lands"):

- 170 Ambassador Drive;
- 171 Ambassador Drive;
- 190 Ambassador Drive;
- 2050 Drew Road;
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- 1115 Cardiff Boulevard;
- 6920 Columbus Road;
- 6956 Columbus Road;
- 7430 Pacific Circle;
- 1250 South Service Road;
- 2815 Eglinton Avenue West;
- 2901-2925 Eglinton Avenue West;
- 2933 Eglinton Avenue West;
- 3045 Mavis Road / 3020 Elmcreek Road;
- 3050 Argentia Road;
- 3055 Vega Boulevard;
- 5010 Glen Erin Drive; and
- 2095 Meadowvale Boulevard.

At this time, Choice is contemplating infill development activity for certain landholdings in Mississauga, and in general seeks to maintain existing operations as well as other opportunities for minor infill and expansion. We note that Choice has an active appeal for OPA 115, and we continue to seek clarification as to how the Official Plan Review process will align with this ongoing process.

On behalf of Choice, we have continued monitoring the ongoing review process for the City of Mississauga's Official Plan. We reviewed the Bundle 1 and 2 policy releases, and provided comments to the City dated March 30, 2022 and August 8, 2022 respectively.

We continue to note that the City's approach to release draft policies in 'bundles' has not provided sufficient information for the planning context of sites for a fulsome review. Specifically, we note that draft Schedule 7 – Land Use Designations has been scoped to only show proposed residential land uses.

The Choice Lands are generally designated Business Employment, Industrial, and Mixed Use by the current Official Plan. It is unclear at this time whether any of the Choice Lands will be redesignated as part of this review process, particularly in light of new land use designations proposed by Bundle 3, such as Mixed Use Limited and Employment Commercial. Our understanding is that the release of the full Draft Schedule 7 is not anticipated until Fall 2023. This approach continues to leave residents and landowners with an incomplete picture as to how the new Official Plan will affect lands within the City.

We have reviewed the Bundle 3 policies in the context of the Choice Lands. At this time, our preliminary comments are as follows:

- Policy 13.1.2.1 states, *"Development in the Nodes will: ..."* and provides a set of urban design criteria. We suggest that that "will" be revised to "should" to allow for flexibility in site-specific contexts where criteria may not be achievable; and
- Policy 13.1.2.6 states, *"Existing surface parking areas in the Nodes will be replaced as part of a redevelopment by underground and/or integrated above grade-structured parking."* In our submission, the requirement for underground or structured parking may not be appropriate in all circumstances for lands and uses within an identified Node. We suggest "will" be revised to "should" to allow for appropriate parking arrangements to be determined at the time of redevelopment.

We will continue to review the Draft Official Plan releases and subsequent revisions, and

will provide further comment on behalf of our client once fulsome information has been released for consultation as needed. We would like to reiterate that in our submission, it is imperative for the full Land Use Schedule to be made available to facilitate an informed review of the Draft Official Plan policies.

We would welcome the opportunity to meet with Staff to discuss our comments further.

Please kindly ensure that the undersigned is notified of any further meetings with respect to this matter, as well as Notice of applicable decisions. We request that a copy of this letter be provided to Council prior to any decisions being made on this item.

Yours very truly,

ZELINKA PRIAMO LTD.



Rob MacFarlane, MPL, MCIP, RPP
Senior Associate

cc. Choice Properties REIT (via email)
Official Plan Review Team (via email)

VIA EMAIL

June 24, 2024

City of Mississauga
Official Plan and Zoning Services
300 City Centre Drive
Mississauga, ON
L5B 3C1

Attn: Amina Menkad, Project Lead, Official Plan Review

Re: New Draft Official Plan Release (February 2024)
City File: CD.02-MIS
Preliminary Comments on Behalf of Choice Properties REIT
Multiple Properties
Mississauga, Ontario
Our File: CHO/MIS/20-01

We are the planning consultants for Choice Properties REIT and all affiliated corporations and entities that own lands on behalf of Choice Properties REIT (collectively the “**Choice Entities**”) regarding the Mississauga Official Plan (“OP”) Review process. We are submitting this comment letter to the City of Mississauga on behalf of the Choice Entities, which own the properties specifically identified on **Schedule “A”**.

At this time, Choice is undertaking minor infill development activity for certain landholdings in Mississauga, and in general seeks to maintain existing operations as well as other opportunities for future infill and expansion.

On behalf of Choice, we have been monitoring the ongoing review process for the City of Mississauga’s Official Plan. We reviewed the Bundles 1-3 policy releases, and provided comments to the City dated March 30, 2022, August 8, 2022, and July 31, 2023 respectively.

CITY OF MISSISSAUGA OFFICIAL PLAN REVIEW

Based on our review of Draft Schedule 7, we note the Choice lands are proposed to be designated as follows:

- The lands at 2095 Meadowvale Boulevard, 6611 Edwards Boulevard, 580 Secretariat Court, 7430 Pacific Circle, 6290 Kestrel Road, 6920 Columbus Road, 6956 Columbus Road, 690 Gana Court, 2050 Drew Road, 2155 Drew Road, and cluster of Choice lands with frontage onto both Ambassador Drive and Excelsior Court are all proposed to **maintain the Business Employment designation**;
- The lands at 1115 Cardiff Boulevard, 6815 Columbus Road and 6895 Columbus Road are proposed to **maintain the Industrial designation**;
- 3050 Argentia Road is proposed to be **redesignated from Mixed Use to Employment Commercial**;
- 3045 Mavis Road, 3020 Elmcreek Road, and 1250 South Service Road are proposed to **maintain the Mixed Use designation**; and

- 2901-2925 Eglinton Avenue West, 2815 Eglinton Avenue West, 2933 Eglinton Avenue West, and 5010 Glen Erin Drive are proposed to **maintain the Mixed Use designation within the Central Erin Mills Major Node.**

We note that the lands at 3055 Vega Boulevard are shown as maintaining the current Mixed Use designation on Draft Schedule 7; however, the site is further subject to MOPA 142, which implements the City's Protected Major Transit Station Area ("PMTSA") framework. MOPA 142 was adopted by Council on August 10, 2022, and subsequently approved by Peel Region on April 11, 2024. We note that upon Regional approval, MOPA 142 redesignated 3055 Vega Boulevard to a new Mixed Use Limited designation specific to former Employment Area lands now identified within PMTSAs.

At this time, our preliminary comments for the Draft OP are as follows:

- We note that Bill 185 received Royal Assent on June 6, 2024, and is fully in effect. There are a number of modifications to the *Planning Act* that may impact or conflict with the Draft OP, including the role of the Region of Peel, the nature of pre-consultation requirements, no minimum parking requirements within a PMTSA, among other matters. We will continue to monitor the Draft OP review as it relates to implementation of recent legislative changes, including Bill 185.
- On Schedule 7 of the Draft OP, the Natural Hazard Area boundary is identified within the lands at 7430 Pacific Circle, whereas the in-effect Official Plan does not identify the Natural Hazard Area overlay in proximity to these lands. We seek clarification as to the expansion of the Natural Hazard Area, and whether this is based on any specific background study or analysis.
- Draft Policy 4.3.8 relates to buffers from natural heritage features, and notes that "*Generally, buffer widths will be at least 10 metres from the limits of the natural heritage features...*". Subsequent Draft Policy 4.3.10 provides several criteria to determine the "*appropriate buffer width*". In our submission, Draft Policy 4.3.8 should be revised to replace "will" with "should", in order to allow for the appropriate buffer width to be determined through technical review and in consideration of the criteria of 4.3.10, including buffer widths less than 10m where appropriate.
- Draft Policy states "*4.3.3.1 Natural Hazard Lands and buffers will be designated Greenlands and zoned to protect life and property. Uses will be limited to conservation, flood and/or erosion control, essential infrastructure and passive recreation*". As noted, the Draft OP proposes to extend the boundary of the Natural Hazard Area overlay into the Choice Lands at 7430 Pacific Circle. Accordingly, we have concern that those lands are to be designated and zoned Greenlands as a result of the expanded mapping of the feature, and we suggest that the mapping be revised to reflect the current extent of the Natural Hazard.
- Draft Policy 5.2.2 states: "*Phased development will have a range and mix of housing types for each development phase.*" In our submission, draft Policy 5.2.2 should be revised to specify that a range and mix of housing types is required only when residential uses are proposed, as the current policy would infer that all development that is phased is required to provide a range and mix of housing types.
- Draft Policies 9.4.1 – 9.4.3 state:
 - .1 "*Retail uses are encouraged to locate primarily within the Urban Growth Centre, Major Nodes and Community Nodes.*"

.2 *“Retail uses outside the Urban Growth Centre, Major Nodes and Community Nodes will be directed to Major Transit Station Areas or in locations as identified in Character Area policies.”*

.3 *“Retail uses may be permitted within Neighbourhoods to provide retail uses convenient to the local residents. Character Area policies or local area plans will identify appropriate locations and types of uses.”*

In our opinion, there are numerous instances where retail and commercial uses are existing and appropriate outside of identified growth areas, and we suggest that the aforementioned policies be reconsidered. For example, the Choice Lands at 1250 South Service Road are occupied by Dixie Mall, and include a grocery store that serves the local community. Those lands are within a Neighbourhood, which the policy suggests is generally not an appropriate location for commercial uses to be directed to. In our submission, the hierarchical nature of these policies is contrary to provincial direction to encourage the development of complete communities that serve the daily needs of residents, and should be revised.

- Draft Policy 9.4.5 states: *“The dispersion of retail uses beyond designated commercial areas will be discouraged”*. In our submission, there are other land use designations, including the various “Mixed Use” designations, “Residential” designations, and others, that are appropriate to accommodate retail uses. We suggest this policy be removed.
- Draft Policy 10.2.6.3 states: *“Redevelopment of Mixed Use sites must maintain the same amount of nonresidential floor space”*. In our submission, it may not be feasible or appropriate to maintain the same amount of non-residential floor space in a redevelopment context, and we suggest that this policy introduce flexibility. We suggest that “must” be replaced with “is encouraged to”.
- Draft Policy 10.2.6.4 specifies that residential dwelling units are not permitted on the ground floor. In our submission, there may be instances where ground oriented dwelling units may be desirable and appropriate, and we suggest that the policy be revised to introduce flexibility.
- Draft Policies 13.2.3.5.1 – 13.2.3.5.6 are similar (or the same) as policies of MOPA 115 of the existing Official Plan, being policies 13.2.5.1 – 13.2.5.6. As the City is aware, the Ontario Land Tribunal refused to approve these policies (except for 13.2.3.5.2) in the context of the appeals of MOPA 115 (see *Calloway REIT (Mississauga) Inc. v. Mississauga (City)*, 2023 CanLII 83079 (ON LT)) and that decision was upheld by the Chair of the Ontario Land Tribunal after the City requested an internal review. We understand that the City has sought leave to appeal this decision to the Divisional Court. In our submission, the inclusion of Policies 13.2.3.5.1 – 13.2.3.5.6 in a manner that is similar or the same as what was included in MOPA 115, is inappropriate, given that the Ontario Land Tribunal has held that these policies are not a proper exercise of the City’s authority under the *Planning Act*. Accordingly, Policies 13.2.3.5.1 – 13.2.3.5.6 should be deleted in their entirety.
- Draft Policy 15.4.9.3 states: *“no major retail developments will be permitted, except where major retail uses are lawfully established on lands designated Employment Commercial at the time this Plan comes into effect.”* We seek clarification as to whether existing major retail uses in the Employment Commercial designation will be permitted to undertake minor infill and/or expansion activity, which can

contribute to the number of jobs per hectare within Employment Areas.

We will continue to review the Draft Official Plan releases and subsequent revisions, and will provide further comment on behalf of our client once fulsome information has been released for consultation as needed.

We would welcome the opportunity to meet with Staff to discuss our comments further.

Please kindly ensure that the undersigned is notified of any further meetings with respect to this matter, as well as Notice of applicable decisions. We request that a copy of this letter be provided to Council prior to any decisions being made on this item.

Yours very truly,

ZELINKA PRIAMO LTD.



Rob MacFarlane, MPL, MCIP, RPP
Senior Associate

cc. Choice Properties REIT (via email)
Official Plan Review Team (via email)

Schedule "A"

Municipal Address	Registered Owner
170 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
171 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
190 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
2050 Drew Road	CANADIAN PROPERTY HOLDINGS INC.
210 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
2155 Drew Road	CANADIAN PROPERTY HOLDINGS INC.
260 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
280 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
281 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
300 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
301 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
320 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
360 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
361 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
380 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
420 Ambassador Drive	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
580 Secretariat Court	CP REIT ONTARIO PROPERTIES LIMITED
6290 Kestrel Road	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
6611 Edwards Boulevard	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
6670 Excelsior Court	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.

6680 Excelsior Court	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
6681 Excelsior Court	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
6815 Columbus Road	CANADIAN PROPERTY HOLDINGS INC.
6895 Columbus Road	CANADIAN PROPERTY HOLDINGS INC.
690 Gana Court	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
1115 Cardiff Boulevard	CP REIT ONTARIO PROPERTIES LIMITED
6920 Columbus Road	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
6956 Columbus Road	CANADIAN PROPERTY HOLDINGS INC.
7430 Pacific Circle	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
1250 South Service Road	CP REIT ONTARIO PROPERTIES LIMITED
2901-2925 Eglinton Avenue West	CANADIAN PROPERTY HOLDINGS (WINSTON CHURCHILL ONE) INC. CANADIAN PROPERTY HOLDINGS (WINSTON CHURCHILL TWO) INC.
2933 Eglinton Avenue West	CANADIAN PROPERTY HOLDINGS (WINSTON CHURCHILL ONE) INC. CANADIAN PROPERTY HOLDINGS (WINSTON CHURCHILL TWO) INC.
3045 Mavis Road / 3020 Elmcreek Road	CP REIT ONTARIO PROPERTIES LIMITED
3050 Argentia Road	CP REIT ONTARIO PROPERTIES LIMITED
3050 Vega Boulevard	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
3055 Vega Boulevard	CANADIAN PROPERTY HOLDINGS (ONTARIO) INC.
5010 Glen Erin Drive	CP REIT ONTARIO PROPERTIES LIMITED
2095 Meadowvale Boulevard	CP REIT ONTARIO PROPERTIES LIMITED

VIA EMAIL

August 1, 2024

City of Mississauga
Planning and Building Department – City Planning Strategies
300 City Centre Dr
Mississauga, ON
L5B 3C1

Attention: Ms. Karin Phuong, Policy Planner, Planning Programs

Dear Ms. Phuong:

**Re: Dixie Outlet Mall Policy Review
Preliminary Comments on Behalf of CP REIT Ontario Properties
1250 South Service Road
Mississauga, Ontario**

Our File: CHO/MIS/23-01

We are the planning consultants for CP REIT Ontario Properties Limited (“Choice”), for the Dixie Outlet Mall Policy Review. Choice is the owner of lands known municipally as 1250 South Service Road, Mississauga (the “Choice Lands”). Choice is one of only two landowners within the Dixie Outlet Mall (the “Study Area”), with the Choice Lands making up the south portion of the Study Area. Choice is a key stakeholder with interest in the Official Plan Review.

On behalf of Choice, we have been monitoring the Dixie Outlet Mall Policy Review process, which was initiated by Staff in March, 2023. We submitted a letter dated June 15, 2023, expressing Choice’s interest in the Dixie Outlet Mall Policy Review, and we previously met with Staff on July 6, 2023, December 22, 2023, and April 17, 2024. The City released the first draft of the Dixie Outlet Mall Policies dated January 11, 2024, and we submitted preliminary comments dated February 29, 2024. We attended the Community Meeting held on January 29, 2024.

We have reviewed the Draft Policies dated June 14, 2024, and the associated Schedules/Maps in the context of the Choice Lands, and we are sending this letter to the City to provide preliminary comments on behalf of Choice. We will continue to review the Draft Policies in more detail and may provide further comments as required.

Preliminary Comments on Draft Dixie Outlet Mall Policies:

In general, at this time, Choice does not have any specific plans for the redevelopment of the Choice Lands, and are seeking to maintain existing operations as a food store while allowing for short- and medium-term modest infill or expansion to respond to the market demand. Further, Choice would like to protect for potential redevelopment scenarios, should this be contemplated in the future.

We note that Staff have incorporated some of our previous comments related to an interim development policy that would permit alterations and minor expansions to existing buildings, without triggering the need for an Official Plan Amendment. However, we continue to suggest that an interim development policy to permit moderate infill development be implemented, to ensure the site can continue to function for commercial

purposes and meet market demand and the needs of the community, prior to comprehensive redevelopment of the site. In our submission, the following interim development policy should be considered, which would modify Draft Policy 13.1.14.14 to the following:

- **“Notwithstanding the policies of this plan, expansion of existing retail and service commercial uses are supported prior to comprehensive redevelopment. Interim development or redevelopment that involves renovations or additions to existing, or new stand-alone non-residential buildings, is permitted as an interim condition. Interim development is not subject to policies related to a minimum building height, the improved street network, the provision of a demonstration plan, or other policies of this plan intended to guide comprehensive redevelopment of Dixie Mall.”**

At this time our preliminary comments for the Draft Policies are as follows. Please note that the references below to “Formerly” refers to the draft Policies under the January 2024 draft Official Plan policies:

- Draft Policy 13.1.14.11 (Formerly 13.1.14.10) states “Development will incorporate a variety of housing types and tenure to support a range of households.” **In our submission, we continue to suggest that “will” should be revised to “is encouraged to”, in order to provide flexibility to account for site context and operational considerations. Additionally, the draft policy should be revised to specify “where housing is provided”, in order to account for development that does not include residential use.**
- Draft Policy 13.1.14.12 states “The applicant/developer should provide below-market housing and pursue financial incentives in collaboration with the City and the Region to achieve these housing types”. **We suggest that “should” be revised to “is encouraged to”.**
- Draft Policy 13.1.14.14 states “Notwithstanding the policies of this Plan, alterations and minor expansions to existing uses in their current location/configuration will be permitted.” We understand that this draft policy has been added with the intent to permit alterations and modest expansions to existing uses. **We suggest that the proposed policy be revised to also consider moderate infill buildings, in addition to alterations and minor expansions to existing uses. Further, we suggest the removal of “in their current location/configuration” as an expansion would represent a change in location/configuration. We provide alternative suggested wording for an interim development policy, as noted above.**
- Draft Policy 13.1.14.16 (Formerly 13.1.14.14) states “A minimum of 15,000 m2 of non-residential gross floor area will be required on the site during all phases of development. Of the 15,000 m2, a minimum of 11,000 m2 of non-residential gross floor area will be provided within Area A and a minimum of 4,000 m2 of non-residential gross floor area will be provided within Area B. For the purposes of this policy, community infrastructure is not considered a non-residential use.”

In our submission:

- We seek clarification as to how the minimum of 4,000 sq.m non-residential was derived for Area B. At our meeting with Staff on April 17, 2024, we

understood that the intent was to require approximately 25% of existing non-residential GFA to be retained. We understand that the Choice Lands (Area B) are occupied by approximately 12,000 sq.m of non-residential GFA, 25% of which would be 3,000 sq.m. **We seek clarification and suggest the minimum be revised accordingly.**

- All three instances of “will” should be revised to “is encouraged to”, in order to provide flexibility to account for site context and operational considerations.
- At our meeting with Staff on April 17, 2024, we understood that all community infrastructure (with the exception of schools) could contribute to the non-residential GFA requirements. We seek clarification as to why the draft policy excludes community infrastructure from contributing to the minimum non-residential GFA.
- Draft Policy 13.1.14.17 (Formerly 13.1.14.15) states “Development on Area A and Area B will be permitted to a maximum residential floor space index (FSI) of 2.4 across each area, inclusive of public streets and parkland. Increases to the residential density may be considered subject to the adequacy of community infrastructure and engineering servicing requirements.” We note that Staff have increased the proposed FSI for each Area of the Dixie Outlet Mall lands, from 2.1 FSI to 2.4 FSI. **In our submission, we continue to seek clarification as to how a Floor Space Index of 2.4 was determined as appropriate, including whether there is any background study that is informing this metric. We continue to encourage the City to contemplate efficient use of the lands subject to the OPA, which represent an opportunity for compact and efficient redevelopment. Further, we suggest the policy be revised to specify that an increase to the FSI may be considered without amendment to the Official Plan.**
- Draft Policy 13.1.14.18 (Formerly 13.1.14.16) states “Development will:
 - a) provide appropriate transition of scale to lower building heights adjacent to another land use and varying built forms;
 - b) promote adequate natural light, sky view and minimize shadow and visual impact;
 - c) have a variation of building heights ranging from 2 to 15 storeys; and
 - d) have buildings frame streets with the main entrances fronting onto a public street, connecting the building and the sidewalk.”**In our submission, we continue to suggest that “will” should be revised to “is encouraged to”, in order to provide flexibility to account for site context and operational considerations (including the location of building entrances).**
- Draft Policy 13.1.14.19 states “An additional building height of three storeys may be considered without an amendment to this Plan for lands along the northern most boundary of Area A and located adjacent to the expanded transit terminal, subject to the City being satisfied that ...”. The policy goes on to list a number of conditions that include provision of a specific unit mix; demonstrating a transition to surrounding land uses; confirming capacity of infrastructure; and phasing of development in relation to infrastructure. In our submission:
 - Additional height contemplated under Draft Policy 13.1.14.19 does not represent additional density, which would continue to be capped at 2.4 FSI

in accordance with draft policy 13.1.14.17. The conditions for the increase in height are unclear for several reasons, including whether only those conditions only apply to the three additional storeys (i.e. unit mix). **Further, since the height does not represent additional density, we are unclear as to the condition to demonstrate infrastructure capacity and phasing.**

- We are unclear as to how the maximum height was determined and seek clarification as to why three additional storeys is the upper limit, and why it is only contemplated in specific locations. In our suggestion, there may be other areas that are appropriate to accommodate additional height throughout the site, subject to demonstration of certain criteria. Building height beyond 3 additional storeys may be appropriate to consider, and may contribute to the achievement of a variety of building heights. There are several existing policies of the City's Official Plan that establish maximum building heights, but provide opportunity to provide additional building height subject to criteria (with no specified upper maximum), including policy 16.1.1.2.
- **We suggest the following revision to draft policy 13.1.14.9:**
 - **“Additional building height, beyond 15 storeys, may be considered without an amendment to this Plan, subject to the City being satisfied that:**
 - **An appropriate transition in heights that respects the surrounding context will be achieved;**
 - **Adequate sunlight and wind conditions will be achieved; and**
 - **The additional height enhances the existing or planned development, including the provision of a variety of building heights.”**
- Draft Policy 13.1.14.23 (Formerly 13.1.14.20) states that “Redevelopment of the site will accommodate an expanded transit terminal near Dixie Road and the southern boundary of Special Site 14...”. We are unaware of any specific plans for the expanded transit terminal and request the opportunity to meet with Staff at the City and the Region to discuss any specific plans for the expansion. In the interim, **we reiterate that flexibility should be introduced by revising this draft policy as follows: “Redevelopment of the site should consider the potential expansion of the existing transit terminal as part of the development application review process with the landowners, the Region, and the City, as required. Alternative locations may also be explored. Any expansion to the transit terminal must take into account the impact of such expansion on the redevelopment potential of both Area A and B, including the existing access points.”.**
- Draft Policy 13.1.14.27 identifies five public road connections that are to be achieved through development. In our submission, flexibility should be introduced to the street network within the Official Plan. It is noted that the draft policy (13.1.14.31) suggests that a detailed demonstration plan be prepared for the site, which would include identifying the street network. Similarly, draft policy 13.1.14.30 indicates that “the location, configuration, design and access requirements for

streets will be determined through the development application review process". In our submission, the rigidity of Policy 13.1.14.27 is inconsistent with flexibility of Policies 13.1.14.30 and 13.1.14.31. The future street network should be established collaboratively by the developing landowners and the City and Region, as necessary. The OP should allow flexibility on the street connections and locations, in order to respond to the specifics of the proposed redevelopment and capacity of surrounding streets, and not presuppose new streets that may not be appropriate. **Accordingly, we suggest draft Policy 13.1.14.27 be deleted in its entirety and that Figure 13.1.14-1 be removed; and**

- Draft Policy 13.1.14.28 (Formerly 13.1.14.25) states that "Future additions to the street network will be public streets." However, Draft Policy 13.1.14.29 allows scenarios where private streets may be considered. **In our submission, Draft Policy 13.1.14.28 should be revised to introduce this flexibility for the provision of private streets, by revising "will" to "should".**

As noted above, we request the opportunity to meet with Staff to discuss the comments and clarifications outlined above.

Please kindly ensure that the undersigned is provided all future notice related to the Dixie Outlet Mall Official Plan Amendment.

Yours very truly,

ZELINKA PRIAMO LTD.



Rob MacFarlane, MPL, MCIP, RPP
Senior Associate

cc. CP REIT Ontario Properties Limited (via email)
Dentons Canada LLP (via email)