

FOR OFFICE USE ONLY		Attention: Regional Clerk Regional Municipality of Peel 10 Peel Centre Drive, Suite A Brampton, ON L6T 4B9 Phone: 905-791-7800 ext. 4582 E-mail: council@peelregion.ca	
MEETING DATE YYYY/MM/DD 2022/09/22	MEETING NAME Regional Council		
DATE SUBMITTED YYYY/MM/DD 2022/09/15			
NAME OF INDIVIDUAL(S) Peter Gross			
POSITION(S)/TITLE(S) Counsel			
NAME OF ORGANIZATION(S) Gowling WLG on behalf of the Ahmed Group			
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INDIVIDUAL(S) OR ORGANIZATION(S) ADDRESS 100 King St. W., Toronto, ON M5X 1G5			
REASON(S) FOR DELEGATION REQUEST (SUBJECT MATTER TO BE DISCUSSED) City of Mississauga - OPA 142, OPA 143, OPA 144			
A formal presentation will accompany my delegation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Presentation format: <input type="checkbox"/> PowerPoint File (.ppt) <input type="checkbox"/> Adobe File or Equivalent (.pdf) <input type="checkbox"/> Picture File (.jpg) <input type="checkbox"/> Video File (.avi,.mpg) <input type="checkbox"/> Other <input style="width: 100px;" type="text"/> Additional printed information/materials will be distributed with my delegation : <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Attached			
Note: Delegates are requested to provide an electronic copy of all background material / presentations to the Clerk's Division if possible 72 hours, but not less than 24 hours, prior to the meeting start time. Delegation requests and/or materials received after 9:30 a.m. on the Wednesday prior to the meeting will not be provided to Members. Delegation requests received less than 72 hours prior to the meeting start time that relate to an item listed on the agenda will be added to the agenda only upon the approval of Council or Committee at the meeting. Delegates should make every effort to ensure their presentation material is prepared in an accessible format. Once the above information is received in the Clerk's Division, you will be contacted by Legislative Services staff to confirm your placement on the appropriate agenda. In accordance with Procedure By-law 56-2019, as amended, delegates appearing before Regional Council or Committee are requested to limit their remarks to 5 minutes and 10 minutes respectively (approximately 5/10 slides). Delegations may only appear once on the same matter within a one-year period, unless a recommendation pertaining to the same matter is included on the agenda within the one-year period and only to provide additional or new information.			
Please save the form to your personal device, then complete and submit via email attachment to council@peelregion.ca			

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(Municipal Freedom of Information and Protection of Privacy Act)

Personal information contained on this form is authorized under Section 5.4 of the Region of Peel Procedure By-law 56-2019, as amended, for the purpose of contacting individuals and/or organizations requesting an opportunity to appear as a delegation before Regional Council or a Committee of Council. The completed Delegation Request Form will be redacted and published with the public agenda. The Procedure By-law is a requirement of Section 238(2) of the Municipal Act, 2001, as amended. Please note that all meetings are open to the public except where permitted to be closed to the public under legislated authority. All Regional Council and Committee meetings are live streamed via the internet and meeting videos are posted and available for viewing subsequent to those meetings. Questions about collection may be directed to the Manager of Legislative Services, 10 Peel Centre Drive, Suite A, 5th floor, Brampton, ON L6T 4B9, (905) 791-7800 ext. 4462.

September 19, 2022

Sent via email: council@peelregion.ca

Regional Chair Nando Iannicca and Members of Region of Peel Council
Region of Peel
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Dear Mesdames and Sirs:

**Re: City of Mississauga Official Plan Amendment Nos. 142, 143 & 144
Request for Modifications**

We are counsel to Ahmed Group (1000 Dundas St. E.) Inc. and Ahmed Group (1024 Dundas St. E.) Inc. (together the “**Ahmed Group**”). The Ahmed Group owns the lands known municipally as 1000 and 1024 Dundas Street East, in the City of Mississauga (the “**Subject Lands**”). As Council is aware, our client has plans to redevelop the Subject Lands with purpose-built rental apartment buildings (the “**Redevelopment**”).

We write on behalf of our client to express serious concerns with respect to the City of Mississauga Official Plan Amendment Nos. 142, 143 and 145 (the “**City OPAs**”) adopted by City Council on August 10, 2022 and for which Regional Council is the approval authority.

As set out below, the City OPAs suffer from a number of flawed policies that will undermine Regional objectives by directly conflicting with, or failing to conform to the Region’s new Official Plan adopted on April 28, 2022 (the “**New ROP**”). Therefore, we request that Regional Council direct Regional staff to meet with representatives of the Ahmed Group to consider our client’s concerns and make modifications to the City OPAs with a view to bringing the City OPAs into conformity with the New ROP as required by the *Planning Act*.

Background

As Council is aware, the three levels of government have made significant investments in transit infrastructure to bring higher-order transit to the Dundas Corridor. Provincial policy direction requires that such investment be utilized to help create complete communities with an emphasis on mixed-use development.

In light of this Provincial mandate, and at the request of our client with City and Regional support, the Growth Secretariat saw fit to remove the Subject Lands from a provincially significant employment zone (“**PSEZ**”).

Following removal of the Subject Lands from the PSEZ, at the request of our client and with support from the City, Regional staff did not include the Subject Lands within the Employment Area, Schedule E-4 of the New ROP. This approach properly reflected applicable policy

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direction while providing existing nearby industrial operations with protection from incompatible uses.

Regrettably, the City OPAs ignore both Provincial policy direction and policy direction set out in the New ROP. In some instances, the City OPAs go even farther and directly conflict with the New ROP.

City Official Plan Amendments

The City OPAs contain policies regarding major transit station areas (“**MTSAs**”) and were only adopted after narrowly surviving a motion for deferral initiated by Councillor Parrish. The deferral was sought to allow staff to reconsider land use designations and policies which we maintain render the City OPAs contrary to Provincial and Regional policy direction and contrary to the requirements of the *Planning Act*.

Land Use

While the New ROP removes the Subject Lands from the Regional Employment Area, Map C-7 of OPA 144 designates the Subject Lands such that residential uses are prohibited on those lands. Apart from ignoring policy direction at every level intended to help create vibrant, transit supportive communities, the designation directly conflicts with the New ROP. Policy 5.8.16 of the New ROP directs local municipalities to designate employment areas in accordance with Schedule E-4.

While City staff have cited language in the New ROP that states that “[l]ocal official plans may also support employment uses outside of Employment Area designations” as support for the proposition that the City can designate additional lands exclusively for employment uses, that proposition is unsupportable. First, that language is found in non-policy, introductory commentary that is not operative and cannot override the operative policies of the New ROP. Second, it ignores that *A Place to Grow Plan* which assigns the responsibility of designating all employment lands to the Region.

The approach advocated for by City staff also ignores the Dundas Connects Master Plan (“**DCMP**”) which contemplates a bold and highly urban corridor with a vibrant mix of uses, including residential, facilitated by transit-supportive intensification.

Should the City not revise its over-arching employment areas mapping to remove the Subject Lands from the *Dixie Employment Area*, the Region should modify Map C-7 of OPA 144 by designating the Subject Lands as *Mixed Use Limited*.

Height Limitations

The maximum height of nine storeys imposed on the Subject Lands and associated policies of the City OPAs are far too restrictive and fail to recognize the existing context as required by the Mississauga Official Plan (“**MOP**”).

In addition, the maximum height and implementing policies of the City OPAs do not conform with the *A Place to Grow Plan* and are inconsistent with the Provincial Policy Statement, both of which promote intensification in and around MTSAs. The City OPAs will also frustrate

achievement of the objectives and goals set out in the DCMP which seeks to create a vibrant mixed-use corridor that will maximize the significant investment in transit infrastructure by all three levels of government. Therefore, we request that Regional Council direct Regional staff to modify the City OPAs by significantly increasing the height limitation imposed on the Subject Lands or removing the height limitation entirely.

Finally, we object to the removal of policy 9.2.8 from the MOP which provides that the preferred location of tall buildings is in proximity to planned or existing MTSAs. This policy aligns with Provincial policy direction and should not be deleted from the MOP.

Conclusion

The Province requires that local municipalities implement policies that promote and encourage intensification within and around MTSAs. Regrettably, the City OPAs fail to follow this Provincial mandate and should be modified as set out above. Our client would welcome the opportunity to engage with staff in advance of staff reporting to Regional Council with recommendations.

Sincerely,

Gowling WLG (Canada) LLP



Peter Gross