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RECEIVED
February 6, 2023
REGION OF PEEL
OFFICE OF THE REGIONAL CLERK

File No. 23031

February 6, 2023

VIA EMAIL: council@peelregion.ca
Chairman and Members of Region Of Peel Council
c/o Regional Clerk
Regional Municipality of Peel
10 Peel Centre Drive, Suite A
Brampton, ON L6T 4B9

Dear Sirs/Mesdames:

Re: Feb. 9, 2023 Council Agenda Item 13.1: City of Mississauga Major Transit Station Area Official Plan Amendments 142, 143, 144 and 146: Regional Staff Review and Recommendations

We are counsel to Augend 189 Dundas West Village Properties Ltd., registered owners of 189 Dundas Street West and 3061 Parkerhill Road in the City of Mississauga (the "Site"). On behalf of our client, multiple written submissions on the proposed Protected MTSA policies and the Dundas Implementation (Dundas Connects) project, culminating in the Mississauga Council adoption of OPAs 142, 143, 144 and 146 in August, 2022 (the "Proposed OPAs"), have been made via our Planning Consultants GSAI. Please be advised that we have appealed OPAs 141 and 145 along with appealing our client's site specific applications for the Site to the Ontario Land Tribunal.

We continue to maintain our concerns regarding the City's ability to establish maximum height restrictions in Protected MTSAs. As stated in the February 9th staff report as follows:

*"The Province's modifications to the Region's adopted MTSA -related policies included the removal of text that clarified the legislative authority of the local municipalities to establish maximum densities and **maximum building heights** in MTSA's at their discretion. Although the policy reference has been removed, there are no Provincial policies that preclude local municipalities from including maximum building heights or densities and therefore continues to permit the City's OPAs to include maximum building heights."*

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REFERRAL TO _____
RECOMMENDED _____
DIRECTION REQUIRED _____
RECEIPT RECOMMENDED _____

We respectfully disagree with Regional staff's position on this matter. As these very same policies were removed by the Minister's modifications to the Region of Peel Official Plan, then the same decision should be upheld by the Region of Peel as the approval authority of Mississauga's Official Plan and any amendments thereto. This is the only reasonable interpretation of the purpose of the Minister's modification. Notwithstanding the Minister's clear intent, the Regional staff have taken a position contrary to the Province's position on this matter in allowing the local municipality to establish maximum height requirements provided they don't conflict with Peel's minimum density targets or create non-conformity issues with the Regional Official Plan. Clearly, this is not consistent with the directive of the Province and as such is not in conformity with the Growth Plan for the Greater Golden Horseshoe Area. We would respectfully request that Peel Region amend the Proposed OPAs by deleting the policies establishing maximum heights within Protected Major Transit Station Areas including the proposed PMTSA for Downtown Cooksville.

We would respectfully submit that consistency needs to be maintained between the Regional Official Plan and the Proposed OPAs and that the maximum height limits need to be removed.

If you have any questions regarding the above, please do not hesitate to call or email me. Thank you for your attention to this matter.

Yours truly,

KAGAN SHASTRI DeMELO WINER PARK LLP



Jason Park
JIP/ss

Please reply to the: Downtown Office

cc: Augend 189 Dundas West Village Properties Ltd.
 GSAI