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**Sent:** May 4, 2023 11:50 AM  
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**Subject:** Bill 97 "Helping Home Buyers and Protecting Tenants" and Implications for City of Mississauga  
**Attachments:** Bill 97 "Helping Home Buyers and Protecting Tenants" and Implications for City of Mississauga - 0227-2023.pdf; Resolution 0113-2023 Bill 87.pdf  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**RECEIVED**

May 4, 2023  
REGION OF PEEL  
OFFICE OF THE REGIONAL CLERK

Hello,

The Corporation of the City of Mississauga at its meeting on May 3, 2023 adopted Resolution 0113-2023 regarding Bill 97 "Helping Home Buyers and Protecting Tenants" and Implications for City of Mississauga.

Thank you,



**Stephanie Smith**

Team Leader, Legislative Coordinator, Legislative Services  
905-615-3200 ext.3831

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[City of Mississauga](#) | Corporate Services Department,  
Legislative Services Division

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## MISSISSAUGA

RESOLUTION 0113-2023  
adopted by the Council of  
The Corporation of the City of Mississauga  
at its meeting on May 3, 2023

0113-2023

Moved by: S. McFadden

Seconded by: J. Horneck

1. That Council endorse positions and recommendations contained and appended to the report titled *Bill 97 "Helping Home Buyers and Protecting Tenants" and Implications for City of Mississauga*, and authorize staff to prepare additional detailed comments, as needed.
2. That the Mayor or designate be authorized to make submissions to the Standing Committee with respect to issues raised in this report, or to otherwise provide written or verbal comments as part of the Ministry's public consultation process.
3. That the Mayor, Council and staff advocate for the Province to consult further on the proposed employment planning regime. In particular, it is suggested that the Province engage with industry leaders that could be significantly impacted by proposed changes.
4. That the City Clerk forward this report to the Ministry of Municipal Affairs and Housing; Mississauga's Members of Provincial Parliament, the Association for Municipalities Ontario, and the Region of Peel.

Recorded Vote	YES	NO	ABSENT	ABSTAIN
Mayor B. Crombie	X			
Councillor S. Dasko	X			
Councillor A. Tedjo	X			
Councillor C. Fonseca	X			
Councillor J. Kovac	X			
Councillor C. Parrish	X			
Councillor J. Horneck	X			
Councillor D. Damerla	X			
Councillor M. Mahoney	X			
Councillor M. Reid	X			
Councillor S. McFadden	X			
Councillor B. Butt	X			

Carried (12, 0, 0 Absent)

# City of Mississauga

# Corporate Report



Date: May 1, 2023

To: Mayor and Members of Council

From: Andrew Whittemore, M.U.R.P., Commissioner of  
Planning & Building

Originator's files:  
LA.07-BIL

Meeting date:  
May 3, 2023

## Subject

**Bill 97 “Helping Home Buyers and Protecting Tenants” and Implications for City of Mississauga**

## Recommendation

1. That Council endorse positions and recommendations contained and appended to the report titled *Bill 97 “Helping Home Buyers and Protecting Tenants” and Implications for City of Mississauga*, and authorize staff to prepare additional detailed comments, as needed.
2. That the Mayor or designate be authorized to make submissions to the Standing Committee with respect to issues raised in this report, or to otherwise provide written or verbal comments as part of the Ministry's public consultation process.
3. That the Mayor, Council and staff advocate for the Province to consult further on the proposed employment planning regime. In particular, it is suggested that the Province engage with industry leaders that could be significantly impacted by proposed changes.
4. That the City Clerk forward this report to the Ministry of Municipal Affairs and Housing; Mississauga's Members of Provincial Parliament, the Association for Municipalities Ontario, and the Region of Peel.

## Executive Summary

- Bill 97 “Helping Home Buyers and Protecting Tenants” (the Bill) proposes several amendments to land use planning legislation. The Province has also released a new *Provincial Planning Statement* (proposed PPS, 2023), which combines the Provincial Policy Statement, 2020 (PPS) and *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2022* (Growth Plan) into a single document. The government has advised that proposed PPS, 2023, is expected to come into force in the fall of 2023.

Council	2023/05/01	2
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- The proposed changes continue along the same path as previous rounds of amendments, with greater planning powers provided to the Minister of Municipal Affairs and Housing (the Minister), and a policy framework that is premised on the assumption that there is a lack of developable residential land. Despite this not being the case in most GGH municipalities, including Mississauga.
- Staff are most concerned with proposed changes to the GGH's employment planning regime. Mississauga has some of the most economically important employment lands in Canada and the operations of some of these areas could be significantly impacted. Staff suggest the current approach where employment lands can be considered for re-designation through the Municipal Comprehensive Review process worked well.
- Through the City's Action Plan for New Housing, Mississauga has demonstrated it has approvals in place or endorsed by Council to support 246,000 new units (more than double Mississauga's 120,000 unit housing target set by the Province). The Regional Planning Commissioners of Ontario (RPCO) also reported that approvals are also in place for 1.25M units (almost reaching the Province's target of 1.5M homes). Against this backdrop, it is unclear how the Province can justify releasing more lands to support residential development that are so important for local employment opportunities, the economy and our natural environment.

## Background

The Bill works to implement some actions contained in *Ontario's Housing Supply Action Plan*, with the goal of increasing housing supply in Ontario by building 1.5 million new homes by 2032.

On April 6, 2023, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, introduced the Bill to the legislature with changes to the *Planning Act*, *Municipal Act*, *Residential Tenancies Act* and the *Building Code Act*. The Province also proposed PPS, 2023 that combines the PPS and the Growth Plan into a single document.

Comment periods on the proposed changes (via three Environmental Registry of Ontario postings) close between May 6 and June 5, 2023. City staff will continue to update and advise Council on the impacts of Bill 97 and the proposed PPS, 2023 as they advance.

The purpose of this report is to: highlight to Council the major changes proposed in Bill 97 and PPS, 2023; the potential impacts on the City; identify areas of support and areas that should be reconsidered by the Province and have Council endorse all comments contained and appended to this report.

## Comments

### **PROPOSED PROVINCIAL POLICY STATEMENT, 2023**

Since 2006, the Growth Plan helped to manage growth in the GGH by laying out an urban structure that aligned growth with infrastructure investments, promoted complete communities, a range and mix of housing forms, and protected lands for natural heritage, prime agriculture and employment. The PPS augmented the Growth Plan with broader based policy directions, again promoting a well-managed and balanced approach to growth province-wide. The proposed PPS, 2023, seems to be based on two assumptions. First, that there needs to be more residential land designated to meet growth targets. And second, an individual development application based approach to employment land-use changes is preferable to the current comprehensive review approach.

Staff disagree with both of these points and suggest the Province may not fully grasp the land economic implications of the proposed changes. Specifically, the changes could lead to an immediate spike in the land values in employment areas with prospective purchasers speculating on what higher financial return uses (e.g. residential) could possibly be considered on the sites. This land value uplift makes it more expensive for potential new businesses developing as-of-right uses to locate in the areas, thereby hurting overall economic growth.

Staff need greater clarification from the Province on many of the policies in the proposed PPS, 2023, to more fully understand how these changes will impact the city going forward. However, staff are concerned there could be significant impacts on the city's residential to non-residential assessment and population to employment ratios. It could impact the types of uses that could go into our employment areas, the commercial buffers that separate heavy industry from residential areas and the ability to maintain commercial uses in communities.

Key changes are discussed below, and a detailed list of changes is included in Appendix 1.

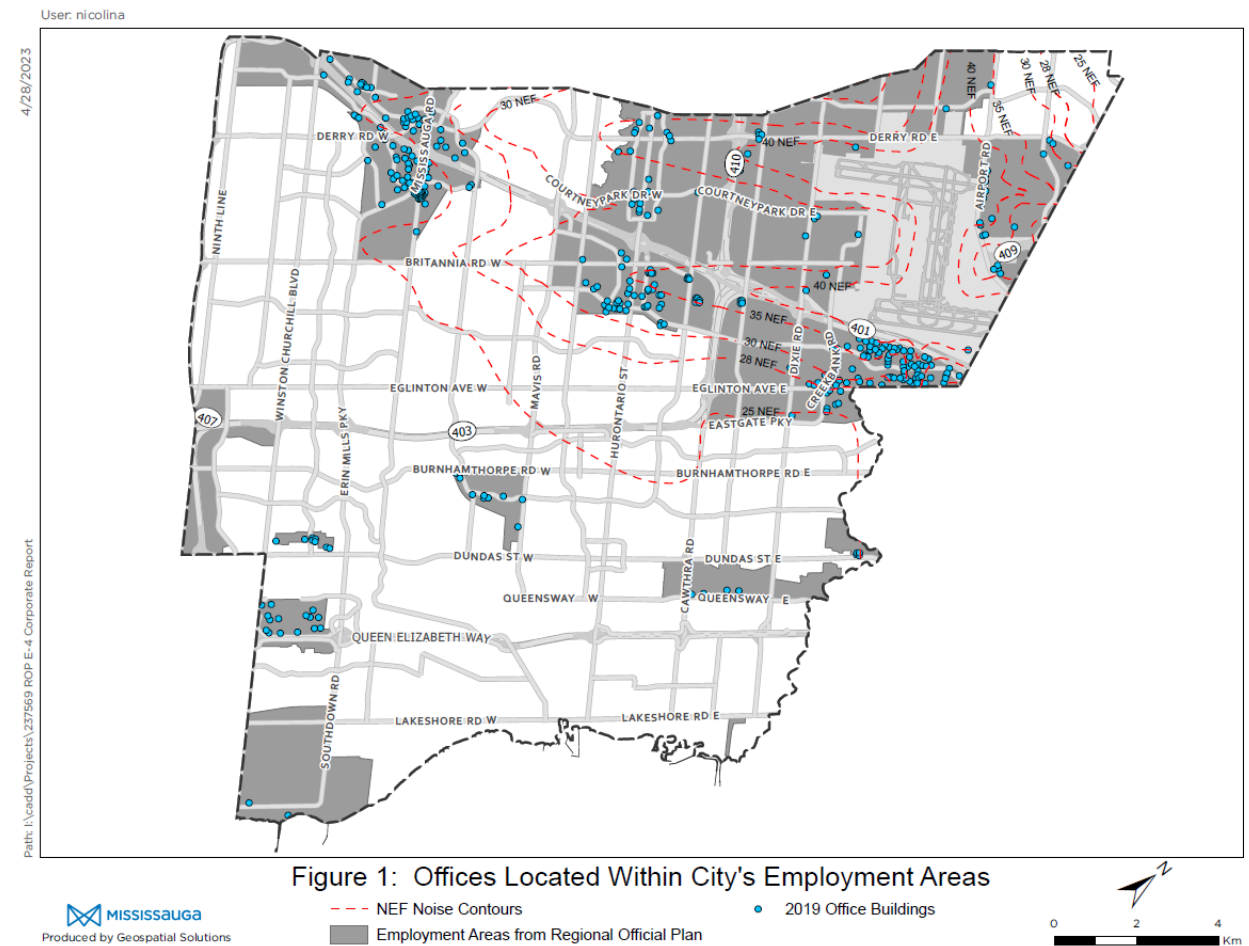
### **EMPLOYMENT**

#### **Changes to permitted uses in employment areas**

Employment areas provide land for diverse employment uses to meet current and future needs, and do not permit residential development. In both Bill 97 and the proposed PPS, 2023, the Province is proposing to change how employment areas are defined by narrowing the list of uses in an employment area and removing commercial uses such as office and retail.

The Province proposes a clause in Bill 97 that may preserve existing clusters of business and economic uses in employment areas, but the drafting of this provision is unclear as to whether existing Official Plan policies will suffice or whether municipalities would need to introduce amendments to their Official Plans to keep existing office and retail buildings in employment areas.

Figure 1: Mississauga's Employment Areas and Office Buildings



Proposals to remove lands designated for commercial uses, could create major issues for retaining and attracting new businesses. For example, office users tend to prefer to cluster next to other offices. The introduction of certain industrial uses (e.g. metal clad building, with 100 dock doors, noise and odour emissions and outdoor storage) in a prestige office node could de-value existing offices. Staff are supportive of certain flexible options in office nodes and are in the process of expanding more life science permissions to office areas. The key point is the existing system worked well as municipalities could tailor the mix of employment uses permitted in each employment area based on the local context.

Commercial lands also provide access to services and amenities that support the wider employment area – e.g. restaurants, print shops, banks, courier services, etc. The proposed policies do not account for the important role that office and retail play within employment areas. Moreover, where there are commercial uses along the edges of employment lands, they create an important buffer between heavier employment uses such as manufacturing, and nearby residential communities. Through engagement with industrial users, staff have heard how

important that buffer function can be to their future success in Mississauga. Allowing sensitive land uses such as residential within these buffers could slowly erode employment areas and surrounding industrial operations and compromise their viability.

- ***Bill 97 and the PPS should continue to provide municipalities the option of designating for office and retail uses in employment areas.***

### **Proposed changes may impact the economic viability of key commercial uses**

The pandemic has undoubtedly had a major impact on the office and retail market, however it is too early to understand how these impacts will play out over the long term. Proposed PPS, 2023, could have long term impacts on land economics that will be difficult to reverse.

Specifically, an employment area designation helps to moderate land values, which can make investments in office and retail uses attractive. The City has found that when land is removed from an employment area and opened for residential development, land values can increase in the order of 5 to 7 times. This increase in land value makes it difficult for office uses to compete. Mississauga's tax base relies heavily on commercial uses and it will important that these businesses continue to find lands in Mississauga that meet their requirements.

- ***Staff will need guidance from the Province on where it considers future offices and retail uses should be built. It seems the long-term land economic and business attraction implications have not been thought out.***

### **Outside of employment areas, retail and office protections are also being reduced**

The Province is also proposing to make it easier to convert or redevelop lands with commercial buildings outside employment areas to residential uses. In Mississauga many commercial plazas, malls and aging office buildings are already facing significant redevelopment pressures. These commercial buildings however, are critical to meeting daily needs of residents, providing nearby amenities, services and local employment. Without these sorts of uses, it will be hard for Mississauga to create complete communities.

- ***City staff recommend that PPS, 2023 direct municipalities to plan for complete communities, and retain non-residential floor space on these sites as part of any future redevelopment wherever possible.***

### **More guidance needed for navigating compatibility issues**

Staff are also seeking more clarification on how to decide when a sensitive land use should be permitted near industrial operators. Proposed PPS, 2023, may result in more conflicts between

sensitive land uses and industrial operations. For example, the proposed changes may make it easier for a sensitive land use to be permitted in proximity to major facilities.

- ***City staff will be looking to the Province to clarify its priorities for employment areas, as it appears that residential uses should be prioritized.***
- ***The Province should consult further with industry leaders that could be significantly impacted by proposed changes.***

### **Amendments to employment areas can now be made at any time**

Currently, requests to remove lands from employment areas can only be made through the Municipal Comprehensive Review process that occurs every 5 to 10 years. The current approach allows for consideration of the supply of land to meet employment growth targets. Proposed PPS, 2023, appears to change this requirement and allow requests for lands to be converted at anytime.

This could place a significant burden on planning staff and Council who may be drawn into many conflicts and appeals. Staff are looking to the Province for more clarification on how amendments to employment areas can be made and/or subsequent appeal processes.

- ***The Province maintain the existing approach that conversions only be considered through a comprehensive approach at 5-10 year intervals, unless municipally initiated.***

## **GROWTH MANAGEMENT**

### **Approved growth forecasts to be used for infrastructure planning**

For Mississauga, the Province has clarified that the City can continue to use its recently approved population (e.g. 995,000 people at 2051) and employment forecasts. These were the forecasts contained in the Region of Peel Official Plan, approved in November 2022. The growth forecasts were updated following a detailed review of all applications in the pipeline (including preliminary applications), a review of market trends and absorption rates, and demographic information. In order to support Provincial Housing targets, City and Regional staff will work together to identify areas where infrastructure investments could be prioritized to open up new housing opportunities.

- ***City staff support the Province allowing Peel Region municipalities to keep using the approved growth forecast to 2051 as this forecast has already being used for infrastructure and community facilities master planning.***



### **Greenfield lands can be released more easily and no density targets to be applied**

The Growth Plan had many interrelated policy tools to manage growth in greenfields. More specifically:

- Growth forecasts worked to limit the amount of greenfield land that could be released at the regional level (e.g. land could not be released in excess of forecasted growth).
- The intensification target ensured that a significant portion of that growth was directed to existing urban areas (e.g. the intensification target required 50% of growth to be directed to urbanized parts of the GGH).
- A greenfield density target (e.g. 50 people and jobs per hectare) was developed to ensure new growth would be transit supportive.
- In addition, new lands could only be released for urban development under a Municipal Comprehensive Review (MCR).

The Province proposes to remove these policy mechanisms. The collective impact of not releasing mandated growth forecasts, allowing growth targets to be minimums, eliminating intensification targets and permitting settlement boundary expansions at any time means that there are few constraints on how much land can be released. Having no greenfield density targets will increase the challenge of providing transit to new communities, compounding regional congestion.

Less dense development in Peel's greenfield areas could be more costly to service for Mississauga tax payers; it could also put more growth pressure on Peel's infrastructure budget if other regions open up more greenfield land, lowering growth in Peel.

- ***City staff urge the Province to carry forward the Growth Plan's essential policies to manage urban expansions and growth in greenfield to ensure these areas are developed as compact and complete communities and support a range of transportation options.***

### **Major Transit Station Areas (MTSA) policies carried forward**

Proposed PPS, 2023, includes a policy framework for MTSA's that closely resembles policies contained in the Growth Plan. This will allow Mississauga's more than 60 MTSA's to continue to act as important places for growth and intensification. City staff have still not received clarification from the Minister on his recent correspondence regarding maximum heights in MTSA's. However, nothing in Bill 97 or in the proposed PPS, 2023, indicates that the Province would restrict municipalities from being able to place height limits in those areas.

If heights limits are removed from MTSA's, it could have significant implications for growth forecasting and would add uncertainty to planning for infrastructure in Mississauga. Given the significant number of MTSA's and their wide distribution throughout the city, it would be cost prohibitive / unfeasible to service 60 MTSA's to be ready for unlimited growth.

### **Compact and urban schools are encouraged**

Proposed PPS, 2023, includes an innovative policy to encourage the development of schools and other public facilities in the base of condominium buildings. In an urbanized city like Mississauga, with limited sites to accommodate new schools and many children living in growth areas, this provincial direction should help see more local schools being built.

- ***City staff encourages the Province and school boards to be proactive in the supply of schools in areas of high growth and intensification as well as encouraging schools to be co-located within mixed-use and residential developments. The Province should help school boards with additional funding given the more costly nature of urban schools***

### **All decisions going forward must be consistent with new PPS**

Implementation provisions require that all planning decisions (even for applications submitted under the previous regime) must be consistent with the PPS, 2023, (once it is adopted) even if the Official Plan has not been updated. Furthermore, Bill 97 proposes to allow the Minister to make regulations that could address different transition rules. This lack of clarity would create increased uncertainty in the planning process and in the review of development applications.

- ***The Province could reconsider the Official Plan review process. If the intent is to be consistent with the proposed PPS, the Province should develop transition provisions that remove the need to conform to the entire Region of Peel Official Plan, approved in November 2022 under the current planning framework. Instead, the transition should indicate that lower-tier municipalities within Regions with no approval authority have to review their official plans to conform to the new changes in the Planning Act and to be consistent with the proposed PPS, without the need to conform to those relevant sections in previously approved upper-tier municipalities' official plans.***
- ***Moreover, more time should be given as reviews of the Mississauga's planning regime as a result of these changes could be significant. The Province should include a transition extending the timeline for the completion of lower-tier official plan reviews to address conformity to the new changes to the Planning Act and to be consistent with a proposed PPS.***

## **LEGISLATIVE CHANGES**

The proposed amendments under Bill 97 will see some changes to key land use planning legislation, including the *Planning Act*, *Municipal Act*, *Residential Tenancies Act* and the *Building Code Act*. Key changes are discussed below, and a detailed list of changes is included in Appendix 1.

### **Increased rights for tenants may improve housing conditions**

The Province is proposing various amendments to the *Residential Tenancies Act*, with a large focus on strengthening tenants' rights. This includes changes to permit tenants to install air conditioners if one has not been provided, as well as strengthening regulations around the termination of tenancy for renovation purposes and/or bad faith evictions (e.g. where a family member has not moved in within a reasonable amount of time).

- ***Staff are supportive of these proposed changes and anticipate the changes will improve housing conditions and security for tenants in Mississauga and Ontario.***

### **Ministerial powers over zoning, Official Plans, by-laws and municipal agreements continue to be expanded**

A theme common among all the recent planning regime changes has been the shift towards centralizing planning powers with the Minister. This Bill is no exception, and it creates several new tools that the Minister can use to override municipal decisions and policies. These powers are intended to impact the City's ability to use some key planning tools (e.g. zoning, Official Plans and By-laws) as well as bind it to provincially led agreements.

- ***If the Province intends to continue to make frequent use of MZO's, and these other tools that more or less act the same way as an MZO, then staff suggest that their use should be limited to situations that have a clear public benefit and supporting rationale.***
- ***Two-way consultation with upper and lower-tier municipalities should be mandatory when using these tools. Moreover, Provincial staff should be responsible for informing the community about any changes resulting from their use.***
- ***The Province should collaborate with municipalities to build up their expertise in preparing municipal planning implementing documents. As well, the Province should work with municipal staff to ensure that provincial decisions do not undermine the City's ability to negotiate for costs.***

## Financial Impact

There are no financial impacts resulting from the Recommendations in this report.

## Conclusion

Through the City's *Action Plan for New Housing*, Mississauga has demonstrated it has approvals in place, or endorsed by Council, to support 246,000 new units (more than double the housing target set by the Province). The Regional Planning Commissioners of Ontario have also reported approvals are in place for 1.25M units.

Against this backdrop, it is unclear why the Province would want to release further lands for development that support some of Canada's most critical employment areas. It is hoped that the Province will consult more and learn about some of the unintended consequences that could result from these proposed changes to employment areas as they could be detrimental for Mississauga and the region's economic prosperity.

## Attachments

Appendix 1: Detailed Comments to Province




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Andrew Whitemore, M.U.R.P., Commissioner of Planning & Building

Prepared by: Katherine Morton, Manager, City Planning Strategies, Planning Strategies and Data

## Appendix 1 – Detailed Comments to Province

**Table 1 – Proposed Planning Act, and Ministry of Municipal Affairs and Housing Act Changes (Schedules 2, 4, and 6 of Bill 97 - the proposed Helping Homebuyers, Protecting Tenants Act, 2023)**

Provincial Comment Period closes on May 6, 2023 (ERO: 019-6821)

Proposed Changes	Potential City Impacts	Comments to the Province
<b>Schedule 1 – Building Code Act</b>		
<b>Appointment of Building Inspectors by the Ministry</b> Subsection 4 (4) would be re-enacted to require the Deputy Minister of Municipal Affairs and Housing to appoint inspectors necessary for the enforcement of the Act in the areas in which Ontario has jurisdiction.	<ul style="list-style-type: none"> <li>The proposed change only applies to areas of the Province that are without municipal organization. As Mississauga is an organized municipality, the proposed changes do not apply.</li> </ul>	<ul style="list-style-type: none"> <li>N/A</li> </ul>
<b>Schedule 3 – Development Charges Act, 1997</b>		
<b>Parcel of Land</b> The proposed changes would replace “parcel of urban residential land” with “parcel of land”.	<ul style="list-style-type: none"> <li>Without having a definition of “Urban residential land” in the Development Charges (DC) Act, City staff understood that this exemption would apply broadly. Therefore, this amendment would not materially change the City’s anticipated DC revenues.</li> </ul>	<ul style="list-style-type: none"> <li>N/A</li> </ul>
<b>Schedule 4 – Ministry of Municipal Affairs and Housing Act</b>		
<b>Development Facilitator</b> Act to be changed to authorize the Minister to appoint a Provincial Land and Development Facilitator and up to four Deputy Facilitators and fix their terms of reference and to require the Facilitator and Deputy Facilitators to perform	<ul style="list-style-type: none"> <li>The impacts are unclear until we receive more guidance on “other matters” or “other functions”.</li> <li>It is unclear when the Facilitators and Deputy Facilitators would be used.</li> </ul>	<ul style="list-style-type: none"> <li>It is unclear when the Facilitators and Deputy Facilitators would be used and when/who is going to request their intervention. Mississauga staff request clarification from the Province through regulation, and the opportunity to provide</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
specified functions at the direction of the Minister.		input for a terms of reference on these new roles.
<b>Schedule 5 – Municipal Act, 2001</b>		
<b>Housing – Municipal Act</b> The Minister would be able to pass regulations relating to the powers local municipalities have to protect rental housing, including restricting municipal powers, prescribing rental housing protection by-law contents, authorizing local municipalities to require owners of land to make payments and provide compensation, and prescribing steps municipalities must take before adopting rental protection by-laws.	<ul style="list-style-type: none"> <li>Impacts on Mississauga's Rental Housing Protection By-law is unclear as the current change would give the Minister regulatory powers only, and no draft regulations have been received.</li> <li>Future Provincial regulations may limit and undermine municipal efforts to preserve an important part of the City's existing affordable housing stock.</li> </ul>	<ul style="list-style-type: none"> <li>Mississauga's By-law is flexible and seeks to achieve a balance between preserving affordable rental housing and allowing upgrades to old rental stock and infill on rental sites.</li> <li>Staff would support approaches to rental protection that allow landowners to reinvest in the stock while protecting the existing (more affordable) supply. One example of flexibility is how Mississauga regulates the number of bedrooms, but not unit sizes (i.e. gross floor area). Financial offsets, provincial/federal tax credits and other innovative solutions should also be explored.</li> <li>Staff would welcome participation in any working groups before regulations are enacted.</li> </ul>
<b>Schedule 6 – Planning Act</b>		
<b>Changes to how Employment Areas are Defined</b> Bill 97 is proposing to change how employment areas are defined. The new definition of employment areas would narrow the list of uses in an employment area and prohibit commercial (including office and retail) and institutional uses.	<ul style="list-style-type: none"> <li>The Province's proposals as currently worded, may have implications for the City's economic tax base, the future of office development, and risks and costs for manufacturing and industrial sectors. Bill 97 proposes significant changes to the</li> </ul>	<ul style="list-style-type: none"> <li>City staff understands that the nature of employment may be changing due to long-term trends, some of which pre-date the pandemic. Over the past few years, the City and the Region have undertaken numerous</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
<p>Bill 97 proposes a clause that may allow municipalities to keep lands with existing commercial and institutional uses in employment areas.</p>	<p>City's employment area policy regime. The City has many sites with office and retail uses in employment areas that may no longer meet the Province's new definition.</p> <ul style="list-style-type: none"> <li>• By making removal of commercial lands from employment areas easier, the Province's proposed changes may have far reaching consequences on land values. These changes could result in increasing land values for commercial lands – leading to higher property tax rates and further financial strain on property owners and business tenants. This would ultimately destabilize commercial uses and reduce local employment options for Mississauga residents.</li> <li>• Bill 97 changes could have impacts on nearby heavy industry if commercial lands are redeveloped with sensitive land uses. Commercial lands often serve as a buffer between industry and nearby residential areas. They can also be located in the middle of an employment area where their removal may impact the overall integrity and viability of the remaining employment area. These lands provide access to small-scale retail that support the wider employment area – e.g. restaurants, print shops, medical office,</li> </ul>	<p>studies that have resulted in the removal of lands from employment areas.</p> <ul style="list-style-type: none"> <li>• Staff are also looking at city-initiated changes to allow more life science uses in office areas.</li> <li>• Given the points above, City staff do not understand why changes are needed to the current MCR process for employment area conversions which has worked well. Municipalities know the composition and investment focus of their employment areas well and can tailor land use policies accordingly (e.g. some have a prestige office, a manufacturing or a power centre retail focus).</li> <li>• The lack of a clear, unambiguous transition clause in Bill 97 is problematic. The City should be given sufficient time to undertake a proper review of commercial lands before any are removed from employment areas.</li> <li>• The Mississauga experience demonstrates that the removal of lands from employment areas can result in an increase in land value, potentially increasing taxes and making it more difficult to retain existing office buildings and for new office uses to compete for space. The loss of office buildings would place a strain on the</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
	<p>banks, etc. Through our engagements. with industry, they have expressed concerns that allowing sensitive land uses in close proximity may have cost and risk implications to their operations.</p> <ul style="list-style-type: none"> <li>• Bill 97 provides for a clause to keep lands with existing commercial and office uses in an employment area. However, it is unclear whether this clause would allow for existing clusters of business and economic uses to be sheltered by current official plan policies which recognize their long term use, or whether a city-initiated Official Plan Amendment would be required</li> <li>• Bill 97 also has implications for Mississauga's Corporate Centres that have an office focus and are identified as strategic growth areas (e.g. Gateway Corporate Centre and Airport Corporate Centre). Office uses in these locations support the Province's push for higher density, transit-supportive growth; but with Bill 97, they may no longer be permitted subject to clarity on how the proposed clause in Bill 97 is intended to apply. Some of these areas are within the Airport Operating Area, which prohibits new sensitive land uses.</li> </ul>	<p>residential tax base, and weaken Mississauga's economy.</p> <ul style="list-style-type: none"> <li>• City staff strongly urges that the Province give municipalities the flexibility to decide which commercial lands should be removed from employment areas. At a minimum, lands with existing commercial uses should be grandfathered into the new definition for employment areas. In addition, lands, such as those around the airport where residential uses are not permitted, should also be able to both maintain and grow their commercial base.</li> </ul>



Proposed Changes	Potential City Impacts	Comments to the Province
<p><b>New Ministerial powers regarding transitions</b> The proposed changes would give the Ministry the authority to make regulations regarding transitional matters necessary to implement a policy statement and related to the applicability of a new provincial policy statement.</p>	<ul style="list-style-type: none"> <li>• New regulations may provide transitional matters for applications received before or after the new PPS comes into effect.</li> <li>• New regulations may also offer clarifications on situations when the new PPS does not apply to specified matters or applications.</li> <li>• Furthermore, when implementing the PPS, the Ministry may make decisions that take into account “other considerations” to balance government priorities. However, it unclear what those “other considerations” are and the weight that would be given to the formally established <i>Planning Act’s</i> matters of Provincial interest.</li> </ul>	<ul style="list-style-type: none"> <li>• The City is in the advanced stages of its 10-year comprehensive Official Plan Review and working on the 1-year deadline to conform to the Region of Peel Official Plan. The Province should include transitions offering clear direction on which conformity process is to be followed.</li> <li>• The regulation should be clear whether one of the following scenarios will apply: <ul style="list-style-type: none"> <li>1) Region of Peel lower-tier municipalities are to conform to the recently approved Region of Peel Official Plan in its entirety and work on a second conformity to the proposed changes at a later phase.</li> </ul> <p>OR</p> <li>2) They must update their Official Plans to conform to the new changes in the <i>Planning Act</i> and be consistent with the new PPS AND conform to Region of Peel Official Plan for the remainder of the policies not affected by the proposed changes.</li> </li></ul> <p>The second scenario would be more efficient in time and taxpayer resources, while providing more certainty to the planning review process.</p>

Proposed Changes	Potential City Impacts	Comments to the Province
		<p>If the second scenario is to be followed, the Province should provide a reasonable timeline for lower-tier municipalities to complete their Official Plan reviews. Furthermore, if the Region of Peel is still the City's planning authority to review the City's revised or new Official Plan, the regulation should exempt the lower-tier municipalities from conforming to those sections in the Region of Peel Official Plan policies that have become inconsistent with the introduction of a new PPS.</p>
<p><b>New effective date for Bill 109 planning fee refunds</b>  The effective date for Bill 109 planning application fee refunds where no decision is made within the statutory time periods is proposed to be changed to July 1, 2023 (from the original date of January 1, 2023). If any fee refunds were owed as a result of applications filed and not decided, between January 1 and July 1, 2023, the refund is deemed not to have been required. New subsection provides that a municipality is not required to refund fees if the municipality is prescribed by regulation.</p>	<ul style="list-style-type: none"> <li>• No fiscal impact</li> </ul>	<ul style="list-style-type: none"> <li>• City staff have already commented on the challenges planning staff and agencies are likely to face to implement the new timelines. In particular, the Province's own commenting agencies often do not meet the existing deadlines. Any additional shortening of these timelines will further reduce opportunities for municipalities to meaningfully refine applications, and likely further add to OLT caseloads. Notably, Bill 108 almost halved development timelines and in the intervening period there has been no noticeable improvement in affordability.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
<b>Interim Control By-law</b> <ul style="list-style-type: none"> <li>• Notice of a by-law: Shorten the period of time which the clerk is required to give notice of a by-law made under subsection 38(1) or (2) (Interim Control By-law) to 20 days</li> <li>• Appeals to Tribunal: Any person or public body who was given notice of passing a Interim Control by-law may appeal within 50 days after the date of the passing of the by-law</li> </ul>	<ul style="list-style-type: none"> <li>• The City will need to adapt to the new timeframe for interim control by-laws.</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
<b>Parking for additional units</b> Change to clarify that official plans and zoning by-laws can still require more than one parking space for the primary residential unit	<ul style="list-style-type: none"> <li>• Mississauga was not intending to amend the parking requirements for the primary unit.</li> <li>• Second units are already exempt from requiring additional parking.</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
<b>Section 41 changes</b> <b>Authority for Site Plan Control for 10 Units or Less</b> Amendment to provide that residential developments of 10 or fewer units on a single lot constitute “development” if the parcel of land is located in a prescribed area (see table 3 for proposed Regulation).	<ul style="list-style-type: none"> <li>• Although some types of developments could now be subject to site plan control, the issues previously identified through Bill 23 remain (in particular for larger sites with multiple units).</li> <li>• The return of site plan review in the newly prescribed areas will address some of the previous concerns about how to manage top of bank hazards and noise/safety issues in proximity to rail corridors. In addition, other issues could now be addressed for those sites such as</li> </ul>	<ul style="list-style-type: none"> <li>• Clarity is required on the definition of ‘shoreline’. Based on existing definitions in other O.Regs. staff assume it includes lands adjacent to a water body, meaning a lake, permanent stream, intermittent stream and seepage area.</li> <li>• City staff recommend that the regulation for site plan control authority of residential developments of 10 or fewer units be further expanded to include all lands with natural or human-made hazards.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
	servicing capacity, access, local improvements, land dedications, easements, etc.	
<p><b>New Authority for Minister's Zoning Orders (MZO)</b></p> <p>New authority would exempt lands subject to an MZO from complying with policy statements, provincial policies and official plans when planning approvals are applied for, such as plans of subdivision. This gives the Minister the ability to address circumstances where an MZO permits residential uses in an area where the official plan does not.</p>	<ul style="list-style-type: none"> <li>• This change could have implications for servicing and capital budget improvements that are allocated based on Official Plan policies and land use designations.</li> <li>• The Ministry will now be able to issue an MZO without regard to their own planning policies or the policies of the Region and the City. For example, an MZO could result in the removal of a heritage building that would normally be protected by planning policy.</li> <li>• This latest change appears to signal a willingness for the Province to approve more development through MZOs.</li> </ul>	<ul style="list-style-type: none"> <li>• At a minimum, the Province should ensure MZOs remain consistent with key provincial and City policies that protect public health and safety. This would include policies restricting sensitive uses and development on hazard lands, within significant natural heritage features or their buffers, and where land use compatibility issues exist.</li> <li>• City staff recommend that the Province publish a guidance document that indicate how they intend to use MZOs in the future.</li> <li>• If the Province intends to continue to make frequent use of MZOs, then City staff suggest that their use should be limited to situations that have a clear public benefit and rationale (such as creation of affordable housing, long-term care and major institutional/health care uses).</li> <li>• Consultation with upper and lower-tier municipalities should be a mandatory part of this process.</li> <li>• The Province should be responsible for advising the public when MZOs are issued.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
<p><b>Ministerial Authority to Require Development Agreements</b></p> <p>New section would give the Minister the power to require landowners and municipalities to enter into an agreement with the Minister or the municipality in matters where the Provincial Land and Development Facilitator has been appointed. The order would have a similar effect as an interim control by-law as it would only permit existing uses to continue until agreements have been signed.</p>	<ul style="list-style-type: none"> <li>The impact to the City's development review process is uncertain. The new powers will give the facilitator influence over required contributions under the <i>Planning Act, Development Charges Act, 1997</i> and any other legislation. It is unclear how this will impact community and infrastructure investment at the local level.</li> </ul>	<ul style="list-style-type: none"> <li>City staff need more clarity to understand what would be required by the Minister as part of a development agreement. For example, the agreements may require that servicing and health and safety requirements be addressed.</li> <li>The Province should ensure that agreements allow the City to address a range of possible issues, including servicing. The City should be able to request the necessary studies to support safe and efficient development (e.g. Transportation Impact Study, Functional Servicing Report, Noise Study, Hydro/Geo Studies, etc.). Agreements should also allow the City to identify additional requirements that may not have been included in the agreement by the Province.</li> <li>Through regulation, the Province should clarify the role of the facilitator in determining the matters to be included in the agreement.</li> </ul>
<b>Schedule 7 – Residential Tenancies Act, 2006</b>		
<p><b>Air Conditioner Installation permissions for Tenants</b></p> <p>A new provision would allow tenants to install and use air conditioning if it is not supplied by the landlord, with conditions and rules about rent increases.</p>	<ul style="list-style-type: none"> <li>No impacts to Mississauga are anticipated as tenancy issues are dealt with under the authority of the Landlord and Tenant Board.</li> </ul>	<ul style="list-style-type: none"> <li>City staff are encouraged by the Province's intent to enhance rights for tenants.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
<p><b>Termination of Tenancy for Renovation Purposes</b>  A new provision would require that a landlord to provide a report when giving notice of termination of a tenancy because the landlord requires possession of a vacant rental unit in order to do repairs or renovations. The report would need to be prepared by a person who has the prescribed qualifications and would need to state that the repairs or renovations are sufficiently extensive that they require the unit to be vacant (and would also need to address any other prescribed requirements).</p> <p>Currently, a tenant who receives notice of termination of a tenancy for the purpose of repairs or renovations may have a right of first refusal to re-occupy the unit. The section would be amended to provide that, if a tenant gives notice that they wish to have a right of first refusal, the landlord would need to provide specified notices to the tenant respecting the unit's readiness for occupancy. The landlord would need to give the tenant at least 60 days to exercise the right of first refusal to occupy the unit.</p>	<ul style="list-style-type: none"> <li>No impacts to Mississauga are anticipated as tenancy issues are dealt with under the authority of the Landlord and Tenant Board.</li> </ul>	<ul style="list-style-type: none"> <li>City staff are encouraged by the Province's intent to enhance rights for tenants.</li> </ul>
<p><b>Notice of Tenancy Termination in Bad Faith</b>  Currently, under the Act, the Landlord and Tenant Board may make various orders if it determines that a landlord has given a notice of termination under section 48 in bad faith and no person (i.e. landlord, landlord's family member, caregiver)</p>	<ul style="list-style-type: none"> <li>No impacts to Mississauga are anticipated as tenancy issues are dealt with under the authority of the Landlord and Tenant Board.</li> </ul>	<ul style="list-style-type: none"> <li>City staff are encouraged by the Province's intent to enhance rights for tenants.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
occupied the rental unit within a reasonable time after the former tenant vacated the rental unit. A new provision indicates that it would now be presumed to be notice in bad faith without the need for the Landlord and Tenant Board to make a determination.		
<b>Written Agreement</b> The Act would be amended to require that the written agreement reached between the landlord and the tenant to resolve the subject-matter of an application to the Board regarding non-payment of rent be completed with the form approved by the Board.	<ul style="list-style-type: none"> <li>No impacts to Mississauga are anticipated as tenancy issues are dealt with under the authority of the Landlord and Tenant Board.</li> </ul>	<ul style="list-style-type: none"> <li>City staff are encouraged by the Province's intent to enhance rights for tenants.</li> </ul>
<b>Fine Increases for Offences</b> The Act would be amended to increase the maximum fines for offences under this Act from \$50,000 to \$100,000 in the case of a person other than a corporation and from \$250,000 to \$500,000 in the case of a corporation.	<ul style="list-style-type: none"> <li>No impacts to Mississauga are anticipated as tenancy issues are dealt with under the authority of the Landlord and Tenant Board.</li> </ul>	<ul style="list-style-type: none"> <li>City staff are encouraged by the Province's intent to enhance rights for tenants.</li> </ul>

**Table 2 – Review of proposed policies adapted from A Place to Grow and Provincial Policy Statement to form a new provincial planning policy instrument**

Provincial Comment Period closes on June 5, 202 (ERO: 019-6813)

Proposed Changes	Potential City Impacts	Comments to the Province
<p><b>Vision</b></p> <p>The proposed Provincial Planning Statement (or “proposed PPS”) includes a revised vision that emphasises increasing the supply a mix of housing options and the creation of complete communities.</p> <p>The previous Growth Plan approach focused on top-down regional planning with a clear urban structure that aligned growth out with efficient use of existing infrastructure, the creation of prosperous and strong economy, and the protection of the Greater Golden Horseshoe’s (GGH’s) fragile ecosystem has significantly changed.</p> <p>The previous vision to direct development away from areas of natural and human-made hazards have been deleted; instead, the vision now indicates that potential risks to public health or safety or of property damage from natural and human made-hazards, including the risks associated with climate change will be mitigated.</p> <p>Language has been included to have meaningful early engagement and</p>	<ul style="list-style-type: none"> <li>The proposed vision focuses on the provision of market housing while diminishing the current vision for land conservation, regional growth management concept, and protections to sustainable resource management and the natural environment. References to the conservation of biodiversity, land and resources, protection of essential biological processes, climate change response and resilience have been deleted or have been significantly weakened.</li> <li>Mississauga has demonstrated a commitment to support provincial aims to create more housing, a greater mix of housing and efforts to make home ownership and renting more affordable. However, the City always intends to strike a balance between housing development and the generation of economic prosperity, the protection of the natural environment, the provision of community facilities, efficient use of infrastructure,</li> </ul>	<ul style="list-style-type: none"> <li>The City recognizes that solving the housing affordability crisis will take significant effort, bold moves from all those involved in housing approval and development, and innovative approaches to planning and construction. The City of Mississauga supports efforts to increase housing supply.</li> <li>However, measures to expedite housing supply should balance different planning priorities. The Province should not implement measures that would generate short-term benefits while creating long-term negative impacts on the natural environment, agricultural systems, infrastructure and transit delivery, economic prosperity, and the creation of complete communities.</li> <li>While staff want to see the creation of more housing in the GGH, it is important that new developments do not undermine access to services and jobs near where residents live, and that major cost savings can be achieved by coordinating growth and infrastructure delivery.</li> </ul>



Proposed Changes	Potential City Impacts	Comments to the Province
relationship building between planning authorities and Indigenous communities.	<p>and the preservation of cultural heritage resources.</p> <ul style="list-style-type: none"> <li>The City of Mississauga continues its reconciliation efforts. The process of reconciliation entails re-evaluating a number of the standard practices that regulate municipal procedures and listening to difficult truths. The City collaborates with Indigenous communities to determine what constitutes significant engagement for them. Staff have early and frequent communications and meetings with Indigenous communities, and organizations to discuss matters of mutual interest and a variety of City initiatives and projects, such as the comprehensive Official Plan Review.</li> </ul>	
<p><b>Municipal Comprehensive Review (MCR)</b> The PPS would no longer require MCRs for periodic updates that are required for the Official Plans of upper-tier, lower-tier or single-tier municipalities.</p>	<ul style="list-style-type: none"> <li>Currently, settlement area expansions and the removal of lands from employment areas can only occur through an MCR process based on criteria within the Growth Plan. These occur every 5 to 10 years. Eliminating the requirements of an MCR for these two processes may have negative impacts in the way municipalities plan for infrastructure, job creation and for employment lands protections.</li> </ul>	<ul style="list-style-type: none"> <li>City staff urge the Province to maintain MCR requirements for evaluating settlement area expansions and the removal of lands from employment areas. These processes allow for a more comprehensive analysis that can lead to better planning outcomes.</li> <li>The Province should keep the existing approach for the review of requests to remove lands from employment areas where they are considered through a comprehensive review at 5-10 year intervals, unless municipally initiated. This would help</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
	<ul style="list-style-type: none"> <li>• Having a flexible approach to the expansion of settlement areas may jeopardize appropriate and continuous growth within existing urban areas. Un-coordinated urban expansions at lower densities would not allow municipalities to maximize the use of existing and planned infrastructure, would make it difficult to create complete communities, and may have more negative impacts on the natural environment, agricultural lands and resources.</li> <li>• The proposed elimination of the MCR process will make private amendments to remove lands from employment areas easier and reviewing those requests more difficult. By making it easier to convert employment uses to residential, the proposed changes may result in a spike in land values for employment lands, with prospective purchasers speculating on what could be a higher financial return with different uses (e.g. residential). This would lead to increased commercial property tax rates, making it more expensive to operate a business, and hurting overall economic growth.</li> <li>• PPS 2023 would allow private amendments to remove lands from</li> </ul>	<p>avoid unintended consequences to the continued economic viability of employment uses, including commercial and industry sectors.</p>

Proposed Changes	Potential City Impacts	Comments to the Province
	<p>employment areas at any time. The review of those applications would be subject to Bill 23's 180-day review timeline. This timeline will be challenging to meet as the issues that need to be addressed are complex and require detailed study (e.g. land use compatibility study).</p>	
<p><b>Growth Management</b></p> <p>Growth targets and allocations: Municipalities would no longer be required to plan to specific population and employment targets for a horizon year.</p> <p>Growth horizon: The Province expects that municipalities would continue to use existing growth targets as a minimum. Over time, municipalities would be expected to carry out their own forecasting.</p> <p>Municipalities would be required to have enough land designated for at least 25 years, with planning allowed to extend beyond this horizon for infrastructure, employment areas and strategic growth areas.</p> <p>Development from a Minister zoning order would be added to the projected growth forecast over the planning horizon of the Official Plan.</p>	<ul style="list-style-type: none"> <li>Proposed changes would represent fundamental changes to how growth planning has operated since the introduction of the 2006 Growth Plan for the Greater Golden Horseshoe. The elimination of growth allocations, intensification targets and minimum greenfield densities, the ability to expand settlement areas at any time, and the flexibility for employment land conversions will significantly shift how, where and when municipalities grow.</li> <li>The Region of Peel and the lower tier municipalities have worked together for several years on developing and finalizing the 2051 Growth Forecasts, as required by the Growth Plan. The 2051 Growth Forecasts were approved by the Regional Council on April 2022. The Region and municipalities are using the approved forecasts to plan for infrastructure delivery, transit, parks, and community</li> </ul>	<ul style="list-style-type: none"> <li>City staff support the Province allowing Peel Region municipalities to keep using the approved growth forecast to 2051 as this forecast is already being used for infrastructure and community facilities master planning.</li> <li>City staff urge the Province to carry forward essential policies that allow growth to be tied to the efficient use of existing and planned infrastructure, while providing protections to the Province's delicate natural environment and minimizing impacts on valuable resources. The proposed PPS should carry forward policies requiring the majority of growth to be directed to existing urban areas, minimum intensification targets, minimum greenfield development density target and the tests to justify settlement boundary expansions (as per the section below).</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
<p>The Growth Plan's strong focus on accommodating growth through intensification development while ensuring efficient use of existing infrastructure would not be carried forward.</p> <p>The policy framework for managing growth and creating complete communities where new growth areas are aligned with efficient infrastructure planning, transit service and the protection of the natural environment and resources would be significantly weakened or deleted in its entirety.</p>	<p>services and facilities (including fire and emergency services).</p> <ul style="list-style-type: none"> <li>• The proposed changes to the growth management framework, where the growth targets are deemed "a minimum", may create uncertainty and delays in many initiatives related to infrastructure delivery, transit, parks, and community services and facilities planning.</li> <li>• Development pressures mirroring accelerated growth (e.g., the Housing Pledges) might become unsustainable if the Region and the City do not have the adequate infrastructure to service new population beyond the forecasted for the 2031, 2041 and 2051 periods.</li> </ul>	
<p><b>Settlement Area Expansions</b></p> <p>Settlement Area Expansion Test: municipalities would be able to consider settlement area expansions at any time and the tests to be applied provide more flexibility. The tests would still require consideration of issues such as adequacy of servicing, phasing and distance separation formula from agricultural uses.</p> <p>Intensification targets: the new PPS would support intensification generally, but there are no specific targets to be met.</p>	<ul style="list-style-type: none"> <li>• The proposed changes may have significant impacts on the Region's responsibilities to deliver infrastructure to newly expanded areas that are paid in paid for by Mississauga taxpayers. Currently, growth forecasts limit the amount of land that can be released at the Regional level, and when coupled with the intensification target, they ensure that a significant portion of growth is directed to existing urban areas (e.g. the Region has an intensification target of 50% of total growth to occur within the</li> </ul>	<ul style="list-style-type: none"> <li>• City staff recommend the Province carry forward the criteria in the Growth Plan (section 2.2.8) for settlement area boundary expansions with continued emphasis on directing most of the growth to existing urban areas through intensification and meeting minimum density targets in urban growth centres, MTSAs and also in greenfield areas. Any review of a settlement boundary expansion should be part of an Official Plan review or update. Individual landowner requests should be properly evaluated based on comprehensive studies</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
<p>Built Boundary: the delineated built-up areas contained in the Growth Plan has not being carried forward in the proposed PPS.</p> <p>Greenfield density target: the minimum density targets for greenfield lands of 50 people plus jobs per hectare would no longer be a requirement and would only be encouraged.</p> <p>Individual/landowner requests for expansions: the proposed PPS would allow property owners to request an expansion to the settlement boundary at any time. However, the <i>Planning Act</i> would continue to limit appeals of a Council decision to refuse a request.</p>	<p>existing built up area). The proposed changes would give municipalities more flexibility on how much land can be released.</p> <ul style="list-style-type: none"> <li>• With the proposed removal of the MCR process, lands would be able to be released for development at any time.</li> <li>• Furthermore, the need for expedited servicing, including major water, wastewater and transportation, to new growth areas at the fringes of the Region of Peel may divert the delivery of needed infrastructure in Mississauga's strategic growth areas (including MTSA's), which may compromise the City's ability to meet it's housing plan.</li> <li>• The removal of density targets for greenfield development may undermine the goal of building more housing if it results in larger (and as a result fewer) homes being built. The development industry has demonstrated they can build new greenfield communities in excess of these targets.</li> </ul>	<p>and as part of municipal-wide planning processes.</p> <ul style="list-style-type: none"> <li>• The Province is urged to retain policies requiring municipalities to develop intensification strategies, focus growth on intensification and strategic growth areas, establish a minimum intensification target, and ensure new development in designated growth areas occur adjacent to existing built up areas.</li> <li>• The Province should retain requirements for a minimum greenfield density target in order to facilitate the development of compact, transit-supportive communities with a mix of housing choices; while avoiding the need to develop on natural areas and prime agricultural land. More compact greenfield developments can facilitate the building of 1.5 million homes by 2031 without the need for costly expansions of infrastructure to service new areas outside developed urban areas. It also would also reduce transportation related greenhouse gas emissions by lowering the need for long commutes.</li> </ul>
<p><b>Large and fast-growing municipalities</b> Large and fast-growing municipalities are identified, including Mississauga. These</p>	<ul style="list-style-type: none"> <li>• The policy framework for MTSA's in proposed PPS, 2023, would be carried forward and closely resembles policies contained in the Growth Plan. Staff will</li> </ul>	<ul style="list-style-type: none"> <li>• City staff is neutral about these proposed policies as the City's Official Plan has been amended to include the MTSA's policy framework and is in the process of updating</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
<p>municipalities will be required to identify the strategic growth areas (SGAs). Proposed PPS brings several concepts from Growth, including:</p> <ul style="list-style-type: none"> <li>• SGAs are to be identified in the official plans, and should be the focus of growth. They include major transit station areas.</li> <li>• The major transit station areas (MTSAs) concept is carried forward with the definition and minimum density targets being maintained.</li> </ul>	<p>continue to report to Council on directions received from the Minister on how to plan for MTSAs.</p> <ul style="list-style-type: none"> <li>• The proposed PPS simplified policy directions for SGAs. The City's Official Plan has delineated and already contains comprehensive policies focusing growth and development in SGAs (including the Downtowns, Nodes and MTSAs) in order to optimize the use of infrastructure, community facilities and transit investments, and develop compact, healthy and complete communities.</li> </ul>	<p>the SGA policies as part of the Official Plan Review.</p>
<p><b>Housing</b> The Province is proposing to remove reference to affordable housing and delete the definition of <i>affordable housing</i>.</p> <p>Policy 2.2.1 a) would be revised to remove the requirement for lower tier governments to establish and implement minimum affordable housing targets.</p> <p>The definition of <i>housing options</i> would be expanded to include laneway housing, garden suites, rooming houses, and low- and mid-rise apartments.</p> <p>Planning authorities will need to coordinate with Service Managers to address full range of</p>	<ul style="list-style-type: none"> <li>• The deletion of the definition of affordable housing and removal of requirement to establish and work towards meeting affordable housing targets will weaken the City's ability to secure affordable housing. This policy change reduces the clarity and transparency of Provincial direction to municipalities to plan for affordable housing. It will be difficult to establish rationale for policies and programs that will achieve affordable housing in the absence of targets.</li> </ul>	<ul style="list-style-type: none"> <li>• Removing the policy foundation for affordable housing will lead to inconsistency across the Province with respect to the goals and objectives of building affordable housing in Ontario.</li> <li>• Municipalities need to focus on influencing both supply as well as the right type of supply to meet the needs of residents. It will be difficult to influence outcomes without strong policy direction at the Provincial level.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
<i>housing options</i> including housing affordability needs.		
<p><b>Employment Policies</b> With no requirements for Municipal Comprehensive Review (MCR), private amendments to remove lands from employment areas could be made at any time. Currently, requests to remove lands from employment areas can only be made through the MCR process that occurs every 5 to 10 years.</p> <p>The Province is also proposing to change how employment areas are defined in policy by narrowing the list of uses in an employment area and removing commercial uses such as office and retail. The Province proposes that municipalities be given the option of introducing amendments to their Official Plans to keep lands with commercial uses (e.g. office and retail) in employment areas. Provincially significant employment zones have not been carried forward in the draft PPS, 2023.</p> <p>Outside of employment areas, the Province is proposing several policies that would make conversion of office and retail uses to residential easier. This includes policies requiring municipalities to allow a mix of uses on these lands, and policies that expand on</p>	<p>PPS, 2023 proposes several changes to employment policies that will make retaining and attracting office, and planning for complete communities more difficult:</p> <ul style="list-style-type: none"> <li>• The proposed elimination of the MCR process will make private amendments easier and reviewing conversion requests more difficult. This has implications for land values and taxation of lands in employment areas as previously discussed, and could make it more expensive to operate a business in employment areas, hurting overall economic growth. The review of applications within Bill 23's 180-day review timeline would be challenging to meet as the issues that need to be addressed are complex and require detailed study (e.g. land use compatibility study).</li> <li>• As noted in Table 1 in the section on "Changes to employment Area Protections", prohibiting commercial uses in employment areas may: <ul style="list-style-type: none"> <li>➤ Threaten the integrity of employment areas by removing commercial lands irrespective of</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• City staff recommends that the Province conduct more in-depth analysis and consultation before approving changes to employment policies. The Province's proposed modifications to how municipalities plan for employment may have long-term, unintended consequences. While the pandemic has resulted in hybrid work arrangements for many places of employment that may continue to evolve, more analysis, data and public input are needed to identify long-term trends, and minimize any unintended risks to the future of Mississauga's economy.</li> <li>• The Province should maintain the MCR process for the removal of lands from employment areas. The MCR approach allows for a holistic approach to employment planning, and helps avoid unintended consequences to industry, and commercial development.</li> <li>• At a minimum, the PPS should explicitly allow for commercial uses (e.g. office, retail) in employment areas when they are located in the middle of an employment area, where other PPS policies do not permit sensitive land uses (e.g. adjacent to the Airport), or</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
<p>the conversion of commercial lands to residential uses.</p>	<p>their location, or the potential impacts on surrounding industry;</p> <ul style="list-style-type: none"> <li>➤ Reduce the availability of lands for office development including in areas where sensitive land uses are not permitted because of proximity to a major facility such as the Airport; and,</li> <li>➤ Cause land use compatibility issues for industry if commercial sites that act as a buffer are redeveloped with sensitive land uses.</li> </ul> <p>The proposed changes to employment area and land use compatibility policies may make it easier to locate sensitive land uses in closer proximity to industrial uses. Any weakening of these policies could result in sensitive land uses, including schools and new residential high rise buildings, being built in proximity to industry.</p> <ul style="list-style-type: none"> <li>• This has implications for industry and public health and safety. More burden would be placed on industrial operators to demonstrate compliance with Provincial guidelines related to minimizing and mitigating impacts to nearby sensitive land uses. This has risk and cost implications for industrial operators,</li> </ul>	<p>where they provide an important buffer function to nearby residential communities.</p> <ul style="list-style-type: none"> <li>• The proposed PPS, 2023 policies on employment areas and land use compatibility should be strengthened to ensure an appropriate separation and transition between heavier employment uses and sensitive land uses is achieved. These policies are important to the continued survival of industry in Mississauga's employment areas.</li> <li>• The PPS should clarify the Province's intent for employment lands outside of employment areas. The policies should distinguish between primary and secondary uses for these lands. The City relies on employment lands as part of its economic development strategy, and it is important that the primary use continue to be protected for employment to ensure a balanced mix of jobs and residents in Mississauga. Having this distinction would still allow for PPS policies that require municipalities to permit a mix of secondary uses on those lands, including residential.</li> <li>• In order to support the creation of complete communities, the PPS should clarify that when redevelopment of existing commercial buildings occurs, commercial and office GFA</li> </ul>



Proposed Changes	Potential City Impacts	Comments to the Province
	<p>particularly when expansions are proposed. In extreme cases, businesses may find that their location is no longer viable.</p> <ul style="list-style-type: none"> <li>• The ability of the City to attract major office development and other employment uses outside of employment areas may be curtailed with the proposed PPS changes. In employment areas, proposed policies would prohibit new office development. Outside of employment areas, proposed PPS policies may make it harder to attract new office development.</li> <li>• By allowing a mix of uses on lands for employment outside of employment areas, property owners may seek to maximize residential permissions with only a small share of non-residential uses provided (e.g. limited to the ground floor of new residential high-rise buildings). More policy direction is required from the Province on this potential issue.</li> <li>• New PPS policies may also lead to a loss of services and amenities in Mississauga communities, and reduce access to jobs. New policies are proposed in the Housing section that would make converting</li> </ul>	<p>should be replaced, wherever possible. The loss of these uses would reduce the range of amenities and services that residents enjoy in their community, and eliminate jobs near where they live.</p> <ul style="list-style-type: none"> <li>• The proposed PPS, 2023 definition for employment areas should align with the <i>Planning Act</i> definition. The <i>Planning Act</i> includes a broader definition and references prescribed businesses.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
	<p>existing commercial buildings to residential use easier. The policies are silent on the replacement of existing non-residential uses. The City currently has policies requiring the replacement of existing commercial gross floor area (GFA) when redevelopment of commercial sites occurs.</p>	
<p><b>Urban Growth Centres (UGCs)</b> The PPS, 2023 grandfathers UGCs from the existing Growth Plan. UGCs are still identified as strategic growth areas. However, density targets and general policies directing growth to UGCs are not included</p> <p>Municipalities can reduce in size or change the location of UGCs identified in in-effect official plans through a new official plan or official plan amendment.</p>	<ul style="list-style-type: none"> <li>• UGCs can now be revised by Mississauga as part of an official plan review or an official plan amendment. The amendment would require approval by the Province, but would be sheltered from appeal.</li> <li>• There is no longer a clear provincial vision for UGCs. In Mississauga, the entirety of the UGC is within several MTSA that have minimum density targets and other policy requirements. The MTSA policy framework would continue to apply in Mississauga's UGC.</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
<p><b>Climate Change and Infrastructure</b> Climate Change: General policies requiring municipalities to plan for climate change would be carried forward. However, policies requiring infrastructure and public service facilities to prepare for the impacts of a changing climate would be deleted.</p> <p>General: A policy prioritizing planning and investment in infrastructure and public</p>	<ul style="list-style-type: none"> <li>• Without specific policies requiring climate change to be considered (e.g. replacing the word "shall" with "should"), the City's ability to apply a climate lens to planning and infrastructure projects may be compromised.</li> <li>• These changes may contribute towards an increase in community greenhouse gas emissions especially as it relates to mode</li> </ul>	<ul style="list-style-type: none"> <li>• The Province is urged to retain policies requiring climate change to be considered as part of land use and infrastructure planning, and preparation of infrastructure and public service facilities for the impacts of climate change. The removal of stronger policies represents a step backward that will not support efforts to respond to a changing climate.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
<p>service facilities is included to support strategic growth areas as focal areas for growth and development.</p> <p>Transportation: It would delete a policy promoting a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.</p> <p>Water: It would delete a policy on evaluating and preparing for the impacts of a changing climate to water resource systems at the watershed level.</p> <p>Stormwater Management: It would delete a policy requiring that stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative a pervious surfaces.</p> <p>Waste Management: It would delete a policy encouraging and promoting reduction, reuse and recycling objectives and replaced it with more generic language on “integrated waste management”.</p>	<p>choice without policy to promote current and future use of transit and active transportation.</p> <ul style="list-style-type: none"> <li>Infrastructure and public service facilities could be at increased risk to climate change impacts.</li> <li>The deletion of climate change considerations for infrastructure and public service facilities undermines the direction the City has been taking toward climate resilience.</li> <li>The deletion of ‘natural heritage features’ and ‘surface water’ features would establish a precedent whereby development may negatively impact natural systems potentially including woodlots, streams, watercourses and shorelines. This would represent a continued weakening of environmental protection that undermines the City’s goals to preserve the environment, while still supporting growth and development.</li> <li>City staff do not anticipate impacts to the City’s stormwater management practices and policies as the proposed PPS includes sufficient language that deal with Sewage, Water and Stormwater issues; although it</li> </ul>	<ul style="list-style-type: none"> <li>Climate change needs to be considered in all planning decisions and should be reinforced as a provincial priority throughout the PPS.</li> <li>The Province is urged to retain policies supporting the achievement of compact, low carbon, and complete communities where development is aligned with efficient infrastructure planning, climate change adaptation and mitigation, and the protection of the natural environment and resources. The following policies should be included in the new PPS: <ul style="list-style-type: none"> <li>Promote compact communities that are supported by robust public transportation and active transportation infrastructure</li> <li>Avoiding development and land use patterns which many cause environmental or public health concerns and contribute to growing greenhouse gas emissions</li> </ul> </li> <li>Consideration for natural heritage and surface water features should be maintained in policy as a means to protect the natural environment.</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
	does not acknowledge climate change concerns.	
<p><b>Natural and Human-made Hazards</b> The new PPS would require the identification of hazardous lands and hazardous sites; and management of development in these areas.</p> <p>It would delete a policy where municipalities are encouraged to support on-site and local re-use of excess soil through planning and development approvals.</p>	<ul style="list-style-type: none"> <li>• The City's Official Plan and Zoning By-law already identifies the location of hazards throughout the City and has policies managing development in these areas. The exact limits of development are determined during the development application process and in consultation with the appropriate conservation authority.</li> <li>• The On-Site and Excess Soil Regulation O. Reg. 406/19, made under the <i>Environmental Protection Act</i> will make it more restrictive to dispose of excess soil at waste management facilities by 2025. This will encourage all industries to reuse excess soil either on-site or at other off-site properties that could beneficially re-use that soil for their own projects. Therefore, it is no longer necessary to have this wording in the PPS, which acts more as a guideline rather than an enforceable provision.</li> </ul>	<ul style="list-style-type: none"> <li>• City staff support the inclusion of a policy requiring the identification of hazard lands and management of development in these areas. City staff will continue coordinating with conservation authorities for the evaluation of development applications to assess the limits of development near hazard lands.</li> <li>• City staff do not have concerns with the removal of the on-site and local re-use of excess soil from PPS.</li> </ul>
<p><b>Compact and urban schools are encouraged</b> Planning authorities and school boards are encouraged to be innovative with school</p>	<ul style="list-style-type: none"> <li>• The proposed policies may encourage school boards to explore compact options</li> </ul>	<ul style="list-style-type: none"> <li>• City staff encourage the Province and school boards to proactively plan for an appropriate supply of schools in areas of high growth and</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
design, including building schools as part of a larger mixed use development.	for the building of new schools within the City's strategic growth areas.	intensification, as well as encourage schools to be co-located within mixed-use and residential developments.
<p><b>Cultural Heritage and Archaeology</b>  <i>"Significant"</i> terminology would be deleted from <i>"built heritage resources"</i> and from <i>"cultural heritage landscapes"</i>. The PPS proposes a new term: <i>"Protected heritage property"</i>.</p> <p>Planning authorities would be encouraged to develop and implement archaeological management plans and proactive strategies for identifying properties for evaluation under the <i>Ontario Heritage Act</i>.</p> <p>The PPS would require early engagement with Indigenous communities and ensure their interests are considered when identifying, protecting and managing archaeological resources, built heritage resources and cultural heritage landscapes.</p>	<ul style="list-style-type: none"> <li>Limited effect on the City at present.</li> <li>The City is presently implementing an archaeological management plan.</li> </ul>	<ul style="list-style-type: none"> <li>The Province should clarify the meaning of "proactive strategies" with respect to identifying properties for evaluation under the <i>Ontario Heritage Act</i>. Will there be an opportunity to discuss examples? Additionally, would this language apply only to archeology or to all historic properties?</li> <li>Further clarification is also requested on engagement with Indigenous communities. What is meant by "ensuring interests are considered" and what is the expectation of municipal staff?</li> <li>City staff recommends that policies on engagement with Indigenous communities be clarified to facilitate more substantive municipal-Indigenous relationships.</li> </ul>
<p><b>Natural Heritage</b>  To be completed once the Province issues a new ERO posting addressing Natural Heritage policies</p>	<ul style="list-style-type: none"> <li>City staff awaiting for new ERO posting with the Natural Environment policies.</li> </ul>	<ul style="list-style-type: none"> <li>Detailed comments on the proposed Natural Heritage policies will be included as part of a separate ERO.</li> <li>City staff strongly urge the Province at least maintain general natural heritage system policies in the new PPS until further policies are developed. The Province has suggested that it will consult on these Natural Heritage</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
		<p>policies as part of a separate ERO, but ordinarily in that circumstance the existing policy framework is maintained until the new policies are developed. Deleting these policies before they are replaced could lead to a temporary gap in the PPS where little direction on natural heritage is provided.</p> <ul style="list-style-type: none"> <li>• The Province is urged to have meaningful engagement with Indigenous communities, municipalities, conservation authorities and other stakeholders for the revision of the natural heritage policies.</li> </ul>
<p><b>Implementation and Interpretations</b></p> <p>The Ministry has advised that it expects the new PPS to come into force in the fall of 2023. Proposed Bill 97, if approved, will allow for the minister to make regulations to address different transition rules.</p> <p>When implementing the PPS, the Ministry may make decisions that take into account other considerations to balance government priorities.</p> <p>Zoning by-laws will need to be kept up-to-date with their Official Plans and the PPS by establishing permitted uses, minimum densities, heights and other development standards to accommodate growth and development.</p>	<ul style="list-style-type: none"> <li>• When implementing the PPS, the Ministry may make decisions that take into account “other considerations” to balance government priorities. However, it is not clear what those “other considerations” are and which weight would be given to the formally established matters of Provincial interest.</li> <li>• The Province has indicated that the Bill 23 provision removing the Region’s planning authority would not come into effect until Winter 2024, at the earliest. Based on this understanding, it is assumed that the Region will be the approval authority of the City’s new Official Plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Staff agree that in many cases the use of MZOs and the revisions to municipal Official Plans by the Ministry may be necessary and beneficial in order to expedite development that would create an important benefit (e.g., creation of affordable housing or for long-term care). However, in order to have a clear planning framework and create certainty for developers, councils, communities and businesses, all planning decisions, including MZOs, should always be consistent with the PPS and have regard to the matters of provincial interest as spelled out in the Planning Act.</li> <li>• City staff urge the Province to introduce transitional policies to allow municipalities more time to work on their Official Plan</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
<p>Where a planning authority must decide on a planning matter before their official plan has been updated to be consistent with the PPS, or before other applicable planning instruments have been updated accordingly, it would still need to make a decision that is consistent with this Policy Statement.</p> <p>The Province may monitor and assess the implementation of the PPS through the collection and analysis of data under identified indicators.</p>	<ul style="list-style-type: none"> <li>• The City is currently undertaking the 10-year comprehensive review of the Mississauga Official Plan. In addition, the City already introduced Official Plan Amendments in order to conform to the Major Transit Station Areas framework in the new Region's Official Plan.</li> <li>• However, if the proposed PPS is approved, the 2022 Region's Official Plan would not be in conformity with many of the changes in the new PPS. It is uncertain whether the City's review of the Official Plan will have to conform to the non-conforming Region's Official Plan or it will be required to be consistent with the new PPS.</li> <li>• Furthermore, the proposed changes indicate that the City's planning decisions must be consistent with the new PPS, even before the Official Plan is updated to be consistent with the PPS.</li> <li>• This lack of clarity would create increased uncertainty in the planning processes and in the review of development applications.</li> </ul>	<p>reviews to conform to the upper-tier municipalities' Official Plan. Each Official Plan conformity exercise requires a significant amount of resources for staff to conduct research, policy development and to have ample engagement with council, Indigenous communities, community, and stakeholder. Having to review the City's Official Plan to conform to the new Region's Official Plan when this document would already be out of date would result in a waste of the City's time and resources. In addition, the period in-between conformity would create more uncertainty and could impact the success of several City planning initiatives.</p> <ul style="list-style-type: none"> <li>• The Province should provide clear direction on which conformity process to follow. If these changes and a new PPS are approved, the Province should include the following transitions in both the PPS and the Planning Act: <ul style="list-style-type: none"> <li>○ Allow lower-tier municipalities within regions with no approval authority more time to review their official plans and address the new changes in the <i>Planning Act</i> and new PPS. The lower-tier Official Plans should not need to conform to those policies in previously approved Upper-tier municipalities' official plans that are no longer conforming as a result of Bill 97 and the new PPS.</li> </ul> </li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
		<ul style="list-style-type: none"> <li>○ As many upper-tier official plans have been approved (e.g., Region of Peel's was approved in November 2022), the Province should include a transition extending the timeline for the lower-tier Official Plan reviews to address conformity to the new changes in the Planning Act and to be consistent with a new PPS.</li> </ul>
<p><b>Coordination</b> The proposed PPS would require boards and Service Managers to coordinate with planning authorities on planning matters.</p> <p>It would require an integrated approach to planning for infrastructure and public service facilities, including schools and associated child care facilities.</p> <p>Housing needs would need to be addressed in accordance with provincial housing policies and plans including those that deal with homelessness.</p> <p>Early engagement with Indigenous communities would be required.</p> <p>The new PPS would encourage early engagement in the planning process with the public and stakeholders, including equity-deserving groups.</p>	<ul style="list-style-type: none"> <li>• The City has developed and implemented comprehensive engagement framework and has a long history of having early, meaningful and continuous communications with Indigenous communities, Service Managers, school boards, and stakeholders.</li> <li>• The City collaborates with Indigenous communities to determine what constitutes significant engagement for them. Staff have early and frequent communications and meetings with Indigenous communities, and organizations to discuss matters of mutual interest and a variety of City initiatives and projects, such as the comprehensive Official Plan Review.</li> <li>• Through several initiatives and studies, including the Official Plan Review, the City is making continuous efforts to engage</li> </ul>	<ul style="list-style-type: none"> <li>• Staff support the coordination policies in the proposed PPS. Staff will continue to have an open and transparent approach to engagement on planning matters, including the implementation of the PPS.</li> </ul>



Proposed Changes	Potential City Impacts	Comments to the Province
<p>Planning authorities would need to coordinate with school boards to facilitate early and integrated planning for schools and child care facilities to meet current and future needs.</p> <p>It would also encourage municipalities to coordinate planning for large areas with a high concentration of employment uses that cross municipal boundaries.</p>	<p>with the public, stakeholders and equity-deserving groups. Staff will continue to have an open and transparent approach to engagement in planning matters, including the implementation of the PPS.</p>	

**Table 3 – Site Plan for Residential Developments of 10 or Fewer Units – Two Proposed new Minister’s Regulations under the Planning Act and the City of Toronto Act, 2006**

Provincial Comment Period closes on May 21, 2023 (ERO: 019-6822)

Proposed Changes	Potential City Impacts	Comments to the Province
<p><b>Regulation-Making Authority for Site Plan Control for 10 Units or Less</b></p> <p>The Province is proposing two new regulations that would set out the conditions under which municipalities can use site plan control for residential developments of 10 or fewer units on a single lot in specific circumstances:</p> <ul style="list-style-type: none"> <li>Any part of the land is located within 120 metres of a shoreline; and</li> <li>Any part of the land is located within 300 metres of a railway line.</li> </ul>	<ul style="list-style-type: none"> <li>The intention of the regulations is to set out the conditions under which municipalities can use site plan control for residential development of 10 or fewer units. The site plan control requirement could be used when the parcel of land is located within 120 meters of a shoreline and/or within 300 meters of a railway.</li> <li>Mississauga has a significant portion of lands with low density residential uses located adjacent to the Lake Ontario shoreline.</li> <li>Similarly, several railway lines, including the CN Railway/Lakeshore GO corridor, CP Railway/Milton GO corridor, and the CN Railway/Kitchener GO corridor, traverse the city, and are adjacent to many neighbourhoods with low density residential, which could be subject to applications to develop 10 or fewer residential units.</li> <li>This legislation would allow staff to address issues specific to those sites through site plan review that cannot be dealt with by other means such as the building code or fire code, like top of bank hazards and noise/safety in proximity to rail corridors.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed changes would allow staff to properly address issues specific to these sites such as top of bank hazards, flooding risks and noise/safety in proximity to rail corridors.</li> <li>However, issues previously identified as part of City staff comments on Bill 23 still remain unresolved for the remainder of the sites that are not in areas prescribed by these new regulations, such as servicing capacity, access/internal circulation, local improvements/sidewalks, land dedications/easements, etc. in particular for larger sites with multiple units.</li> <li>Clarity is required on the definition of ‘shoreline’. Based on existing definitions in other O.Regs. City staff assume it to mean lands adjacent to a water body, meaning a lake, permanent stream, intermittent stream and seepage area. Could it also mean “river”, and therefore be applicable to residential development adjacent to the Credit River and the Etobicoke Creek?</li> <li>City staff recommend that the regulation for site plan control authority of residential developments of 10 or fewer units be further expanded to include</li> </ul>

Proposed Changes	Potential City Impacts	Comments to the Province
		all lands subject to natural or human-made hazards.