



DELIVERED BY EMAIL

August 27, 2026

The Honourable Kinga Surma
Minister of Infrastructure
Province of Ontario
777 Bay Street
Toronto, Ontario M5G 2E5

Re: Request for Immediate Review and Revocation of the Four Minister's Zoning Orders for Midtown Oakville

Dear Minister:

The Oakville Community Association ("OCA") respectfully requests that the Province immediately undertake a comprehensive, independent review of the four Minister's Zoning Orders ("MZOs") issued for the Midtown Oakville Transit-Oriented Community ("TOC"), and, if the review does not establish that the orders were appropriately justified, revoke them.

This request follows the Toronto Star's August 27, 2026 investigation, which raises serious questions about the developer selected by the Province, including its financial history, development experience, high-rise expertise and the adequacy of the due diligence undertaken before the Province exercised its extraordinary planning powers.

These concerns are matters of clear public interest. The Province has overridden Oakville's established municipal planning framework to authorize the development of exceptional scale. That decision carries a corresponding responsibility to ensure that the developer selected has the financial capacity, experience and expertise necessary to deliver the project successfully.

Extraordinary Scale Requires Exceptional Scrutiny

The Midtown Oakville project would include more than 6,800 units approximately 11 high-rise buildings. The four MZOs permit buildings ranging from 45 to 56 storeys, with a combined maximum gross floor area exceeding 537,000 square metres.

By comparison, the Toronto Star reports that Distrikt has completed approximately 682 homes over the past decade, primarily through townhouse and mid-rise developments, with its tallest completed project being a 10-storey, 364-unit condominium.

The scale of Midtown Oakville is therefore fundamentally different from the developer's demonstrated track record.

The central question is straightforward: Did the Province's due diligence establish that Distrikt possesses the financial capacity, experience and expertise necessary to undertake a project of this unprecedented magnitude?

In light of the information now publicly reported, Oakville residents are entitled to a transparent and independent answer.

Questions Regarding Financial Capacity

The Toronto Star investigation also raises significant questions concerning the financial circumstances surrounding a separate development involving Emil Toma and his partners. According to the report, that project accumulated more than \$10 million in unpaid debt before entering receivership, and lenders subsequently sought a bankruptcy order alleging that approximately \$6 million remained owing.

The OCA recognizes that separate corporations and development projects must be carefully distinguished, and we are not asking the Province to make findings against any individual or company based solely on media reports.

Rather, the issue is whether these circumstances were fully disclosed to, known by, and appropriately considered by Infrastructure Ontario and the Province before Distrikt was selected for Midtown Oakville.

That question is particularly important given Infrastructure Ontario's stated position that it conducts robust financial and reputational due diligence to ensure its building partners have the expertise, experience and access to capital required for major housing projects.

If that is the standard applied by the Province, Oakville residents deserve to know whether it was satisfied in this case.

Developer Experience Must Be Examined

There is nothing inherently inappropriate about a developer undertaking a project substantially larger than its previous developments. Developers must have opportunities to grow.

However, Midtown Oakville is not an ordinary private development.

The Province has used extraordinary statutory powers to override aspects of Oakville's municipal planning process and establish development permissions for a project of unprecedented scale. In those circumstances, the Province's responsibility to conduct rigorous due diligence is correspondingly greater.

The public should not be asked to simply assume that the necessary financial, technical and organizational capacity exists. The Province should be prepared to demonstrate that it does.

New Information Warrants Reconsideration

The MZO's were issued on April 9, 2026. The information now reported raises questions directly relevant to the Province's stated due-diligence obligations, including:

- Distrikt's financial capacity and development history;
- its experience with high-rise construction;
- the circumstances surrounding the Elderwood project and its receivership;
- whether relevant financial and legal information was disclosed to Infrastructure Ontario and the Province;
- whether the Province's financial and reputational due diligence was sufficiently comprehensive; and
- whether Distrikt has the demonstrated capacity to deliver a project of this unprecedented scale.

These are not merely technical planning issues. They go directly to whether the Province's decision to issue the four MZO's remains justified.

At minimum, the new information warrants a fresh, independent and transparent review of both the decision-making process and the developer's capacity to fulfill the obligations created by the MZO's.

The Province Has the Authority to Act

The Province's Zoning Order Framework and the Planning Act provide the Minister with authority to amend or revoke a zoning order.

The Province therefore has the legal authority to reconsider its decision. The question is whether it will exercise that authority responsibly in light of the information now before it.

Our Request

Accordingly, the Oakville Community Association respectfully requests that the Province:

1. Immediately initiate an independent review of Zoning Orders 01-2026, 02-2026, 03-2026 and 04-2026;

2. Make public the financial, reputational, technical and development-capacity due diligence undertaken by Infrastructure Ontario before selecting Distrikt for the Midtown Oakville TOC;
3. Confirm whether Infrastructure Ontario and the Province were aware of the financial difficulties, receivership proceedings and other matters described in the Toronto Star investigation when the Oakville TOC decision was made;
4. Confirm how those matters were considered in determining whether Distrikt possessed the financial capacity, experience and expertise required for Midtown Oakville;
5. Commission an independent assessment of Distrikt's financial capacity, development experience and ability to deliver the project at the scale authorized by the four MZOs; and
6. Suspend implementation of the four MZOs pending completion of that review and, if the Province cannot demonstrate that adequate due diligence was conducted and that the developer possesses the requisite capacity, revoke the four MZOs.

Responsible Growth Requires Accountability

The OCA wishes to be clear that it is not opposed to responsible housing development or intensification around transit. Oakville needs housing, and we support thoughtful, well-planned growth.

But growth cannot come at the expense of accountability.

A development involving more than 6,800 homes and approximately 11 high-rise buildings, including towers approaching 56 storeys, is simply too significant to proceed without confidence that the developer has the capacity to deliver it successfully.

The Province has stated that MZOs are intended to accelerate housing and advance provincial priorities. Those objectives are legitimate. But speed cannot replace due diligence, and housing targets cannot replace responsible planning.

The information reported by the Toronto Star has raised legitimate questions that warrant clear, transparent and credible answers before this project proceeds any further.

For these reasons, the Oakville Community Association respectfully calls upon the Province to revoke the four Midtown Oakville MZOs or, at a minimum, immediately suspend their implementation pending a full and independent review.

Oakville residents deserve a planning system in which decisions of this magnitude are made transparently, responsibly and with the highest standards of due diligence.

We respectfully request a written response outlining the steps the Province intends to take in response to this request.

Yours truly,



Michael Reid
President
Oakville Community Association
416-802-0518

cc: The Honourable Doug Ford, Premier of Ontario
The Honourable Todd J. McCarthy, Acting Minister of Infrastructure
The Honourable Robert J. Flack, Minister of Municipal Affairs and Housing
The Mayor and Members of Oakville Council
The Honourable Stephen Crawford, MPP for Oakville
Effie Triantafilopoulos, MPP Oakville North - Burlington